

International Labour Conference

FIFTEENTH SESSION
GENEVA, 1931

THE AGE OF ADMISSION OF CHILDREN TO EMPLOYMENT IN NON-INDUSTRIAL OCCUPATIONS

First Item on the Agenda-



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INTERNATIONAL LABOUR OFFICE
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INTRODUCTION

In February 1930, during its Forty-Seventh Session, the Governing Body decided to place on the agenda of the International Labour Conference at its 1931 Session the question of the *age of admission of children to employment in non-industrial occupations*.

The protection of employed children began early to interest the legislative authorities of the different countries and especially of those which were industrialised. Great Britain led the way and still remains in the front rank, but many others have followed her example. Child labour was, in fact, one of the first evils which arose from industrialisation, and one which required the most energetic remedies.

From the outset, the International Labour Organisation was expressly required by its constitution to take an active interest in this problem; the Preamble to Part XIII of the Peace Treaty lays down, in the list of objects to be dealt with by the Organisation, "the protection of children and young persons" as well as that of women, and the sixth principle set forth in Article 427 of the Peace Treaty is as follows:

"The abolition of child labour and the imposition of such limits on the labour of young persons as shall permit the continuation of their education and assure their proper physical development."

As early as 1919, during the First Session at Washington, the Conference adopted a first Draft Convention concerning the minimum age for admission of children to industrial employment, which was fixed at fourteen years. But it was declared at Washington that "the Conference should pronounce in favour of the limitation of the age of admission to agricultural, commercial and other occupations". And, in fact, a second Convention was adopted at Genoa in 1920, which also limited to fourteen years the minimum age of admission of children to employment at sea. A third Convention, adopted at Geneva in 1924, prohibited the employment of children of less than fourteen years of age in agricultural employment save outside the hours fixed for school

attendance. Finally a fourth Convention, adopted in the same year, prohibited the employment as trimmers and stokers of young persons under eighteen years of age.

These Conventions have met with considerable success: at the present time, for the first Convention eighteen ratifications have been registered; for the second, twenty-two; for the third, twelve; and for the fourth, twenty-three. The figures show clearly both the importance which the States Members attach to the protection of child labour, and the wise moderation of the conditions laid down in the Conventions.

Nevertheless, a serious gap is to be found in international legislation, since no provision has yet been made for the age of admission of children to "non-industrial occupations" in certain of which they may be exposed to grave dangers. This is the gap which the Governing Body has desired to fill.

The International Labour Office submits the present report to the Conference for a first discussion, which will decide the terms of the questionnaire to be addressed to the Governments of the States Members before the second discussion. The first Part deals with the special aspects of the question under consideration. It shows the solutions adopted by the different States Members, and furnishes various comparative tables. The practice is described in so far as the Office has been able to do so from the enquiries which it has made in the short time available and from the scanty sources of published information.

The second Part is documentary and contains a summary of the national legislations of States Members classified as far as possible by content. The countries not mentioned are those which, as far as the Office is aware, have no special legislation covering this question. Wherever it has been possible, the information has been checked by the competent national services. However, this could not be done for the non-European countries nor for all European countries.

In the third Part, an attempt has been made to reach conclusions and to draw special attention to the principal points which might be included in the questionnaire.

Certain appendices supply examples and references; for instance, Appendix I gives a summary of the State laws of the United States, since among these are to be found some of the most complete forms of legislation existing. Appendix II gives a typical example of British municipal regulations which might assist in rendering the problems under discussion clearer and suggest certain solutions.

In Appendix IV an attempt has been made to give in the form of a table a scheduled summary of the question as a whole.

It would appear that only the following States Members have no laws on the question: Albania, Australia (Tasmania, Victoria), China, Cuba, Ethiopia, Haiti, Honduras, India, Japan, Liberia, Lithuania, Nicaragua, New Zealand, Paraguay, Persia, the Dominican Republic, Salvador, Siam and Uruguay. However, it is probable that regulations or municipal by-laws exist in certain of these countries. Besides, in some of them the laws concerning school attendance prohibit the employment of children (usually under fourteen years of age) during school hours. It may, therefore, be presumed that if the Office had had sufficient time to make a special enquiry in each of these States, the above list would have been considerably shortened.

* * *

It may be added that, in accordance with paragraph 4 of Article 6 of the Standing Orders of the Conference relating to the double-discussion procedure, the present Report was submitted to the Governing Body of the International Labour Organisation for approval at its Fiftieth Session held on 7-12 October 1930.

PART I

PRACTICE REGARDING ADMISSION

§ 1. — Occupations

The “non-industrial occupations” upon which national laws place restrictions may, in so far as child labour is concerned, be divided into two main groups, namely:

- (1) *general employment*, that is to say, any occupation not specially referred to by name in the law, and
- (2) *special occupations*, or those which, because they are dangerous, or unhealthy, or may endanger morals or education, or for some other reason, are subjected to special treatment.

In England and Wales, for example, the special occupations are employment in connection with public entertainments, street trading, and work in the bars of licensed premises, together with a number of others (such as work in a barber's shop) which have been designated by local authorities in their by-laws; all the rest come under the heading of “general employment”. This division applies to all countries though the special employments are not everywhere the same. In a few countries only general employment is regulated.

Two employments have had to be omitted from this report; they are the work of apprentices and domestic service. The first is the subject of a separate enquiry and was felt to be too special for treatment here; moreover, such work is mostly industrial. As regards the second, there is little or no regulation which could usefully be included, as laws for domestic service (and there are comparatively few of them) deal with hours, night work and free time, not admission age.

§ 2. — Legislation

Non-industrial occupations are not regulated to the same extent as is industrial work; nevertheless, a considerable body of laws exists among the States Members as a whole, and, taken collectively, these laws probably cover most matters in need of regulation. There is, however, a certain lack of uniformity not to be observed in industrial laws. This applies to the manner of regulation, to the occupations dealt with, to the age limits prescribed and to the conditions attached to admission. These variations may be ascribed partly to the diversity of non-industrial occupations and partly to the absence of any definite standards such as those set for industry, agriculture and maritime work by the Conventions of the International Labour Organisation. The laws themselves are sometimes State-wide in application, and sometimes local measures made by municipal authorities under powers conferred upon them by Statute.

STATE-WIDE LAWS

Restrictions of State-wide application may be found in Acts devoted exclusively to the employment or welfare of children, or in laws relating to education, or in those which apply to industry, or in police laws. They are directed principally towards three ends: to prohibit entirely the employment of children below a certain age; to permit limited employment of children (usually twelve to fourteen years) who, though still at school, are believed to be capable of performing one or two hours' work out of school without injury to themselves; and to forbid the employment of young persons (fourteen to sixteen, or fourteen to eighteen) in special occupations (such as street trading or the sale of intoxicants) in which it is thought juveniles ought not to be engaged ¹.

There are, thus, three age limits, the first an absolute limit below which no child may be employed; the second a period during which light work is allowed; and the third, a limit up to which the young worker is excluded from undesirable occupations.

In addition to imposing age limits, it is a common practice to

¹ Other restrictive provisions usually prohibit employment between certain night hours and limit the number of hours during which children may be employed out of school on school days and holidays. These provisions have not been touched upon here.

require that children shall not be admitted to special occupations, and sometimes even to general employment, unless certain conditions are fulfilled. Such conditions are most often found in connection with street trading and public entertainments. They are principally concerned with physical fitness for the work proposed and the attainment of a definite standard of education, and their object is to prevent premature or unsuitable employment and to enable the child to derive full benefit from his education. In a few countries it must even be shown that the poverty of the parents renders it necessary for the child to work.

BY-LAWS

Regulation by by-laws appears to be more developed in the British Empire than elsewhere. Enabling provisions concerning by-laws were found in practically all the British laws studied, while elsewhere they were comparatively rare. Very complete information concerning the by-laws made by English local authorities was secured thanks to assistance given by the British Home Office, and it has been used here rather fully. It would have been interesting had the Office been able to furnish examples of the manner in which the municipalities of other States have dealt with the problem of child employment. Fortunately, however, the basic principles involved are the same everywhere, and this may perhaps be considered as justifying a fairly detailed account of English methods.

When the English Education Act of 1918 transferred the control of employed children of school age to the local education authorities, the Home Secretary issued a circular to the latter explaining the provisions of the Acts ¹ regulating child employment and calling attention to the desirability of reviewing the whole by-law question.

The first point dealt with in the circular is the adequate control of employed children. Local authorities in areas where certain occupations employ large numbers of children are advised to make a by-law specifying these occupations and requiring employers to keep a record, to be made available to inspecting officers, showing the names, addresses and ages of all children under fourteen employed by them, and the times of their employment; employers should send periodically to the enforcing authorities a copy of such record. As examples of occupations which may advantageously

¹ Since incorporated in Part VIII of the Education Act, 1921.

be specified the following are given: the sale and delivery of milk or newspapers, the employment of children in, or in connection with, shops, and in any occupations carried on in places where inspection is specially difficult, such as industrial work done at home.

In occupations where the conditions might be specially harmful, the total prohibition of the employment of children under fourteen is recommended and a list of suggested prohibited occupations given ¹.

In addition to the prohibition of harmful occupations, it is pointed out that, since enquiries had shown that there were some occupations likely to be harmful to weakly children, a by-law might profitably be made which would require that in the harmful occupations specified no child should be employed unless certified by a school medical officer to be fit for the work ².

As regards employment after school, allowed by Statute for children over twelve from the close of school until 8 p.m., local authorities are reminded that they can restrict it, and they are advised to limit the employment of school children on school days to two hours at the most ³.

With regard to employment on Saturdays and other school holidays, the opinion is expressed that every school child should have at least half his free days reserved for rest and recuperation. Moreover, this time should be so arranged as to enable the child to join with others in games or organised recreation. In the matter of holidays between school terms, appropriate regulation would depend on local conditions. As a general rule, it is thought to be undesirable to employ a child twelve to fourteen years old more than five hours a day, except, perhaps, in seasonal occupations not involving great strain. Sunday employment, limited to two hours by Statute, might be restricted by by-law to the sale or delivery of milk between certain hours ⁴.

As regards morning employment on school days, unless local authorities make a by-law under the enabling provisions of the Statute, no employment is permitted before the close of school. Much evidence has accumulated as to the ill-effects of the employment of children before school. When so employed they often arrive late, tired, sleepy, and unable to profit from their studies;

¹ They are the same as those which will be found in sec. 2 (a) to (g) of the Liverpool by-laws in Appendix II.

² Cf. Liverpool by-laws, sec. 5, for examples of these occupations.

³ Cf. *ibid.*, sec. 4 (a).

⁴ Cf. *ibid.*, sec. 4 (a).

sometimes they get wet in the course of their employment and are unable to change their clothes or boots before coming to school; frequently they have not sufficient time for breakfast. If, therefore, any employment before school be allowed, adequate protective measures ought to be taken. One condition should be a certificate from a school medical officer that employment before school will not prejudice the health or physical development of the child or render him unable to obtain proper benefit from his education. Another matter requiring careful thought is the hour at which employment may begin ¹. Before confirming a by-law permitting morning employment, the Home Secretary would require to be satisfied that there were valid reasons for it, and that full enquiry had been made as to the conditions under which children would work.

Other statutory provisions for the protection of children under fourteen concern the lifting or moving of heavy weights, and engaging in work prejudicial to life, health and education. Attention is called to the importance of making full use of these provisions, of instructing the enforcing officers to look out for children employed in such a manner as may injure their health, and of taking steps to prohibit the employment of any child in an occupation for which he may be unfitted.

In regard to street trading (forbidden by Statute for children under fourteen), the circular calls attention to the fact that local authorities may prohibit it for girls under sixteen; may raise the age for boys, and may require street traders under sixteen to be licensed and wear a badge while at work. It is pointed out that in order to deter children leaving school from going straight into street trading, and to add to the chance of their finding suitable employment, the age for street trading may be fixed above the school leaving age. The dangers of street trading by young people are well known and the occupation is one which should be strictly supervised and controlled. Experience has shown that the only effective control of street trading is through a system of licences and badges ².

As regards enforcement, the Home Secretary expressed the belief that local authorities might find it convenient to direct school attendance officers to supervise the employment of children and to arrange for other officers to help. For example, the police could co-operate as regards street traders; the shop inspectors (who in

¹ Cf. *ibid.*, sec. 6.

² Cf. *ibid.*, secs. 8 to 19.

the United Kingdom are in the service of municipal authorities), as regards children employed in shops; while as regards children doing industrial work at home, Health Officers should be asked to report cases of illegal employment to local authorities.

In connection with the administration of street trading by-laws, local authorities are recommended to give special attention to questions of: (1) finding better employments for street traders and encouraging them to enter such employments, and (2) enlisting the services of social workers willing to befriend boys engaged in this occupation.

The control of specified occupations and of children employed before school would be facilitated by requiring employers to notify local authorities before engaging a child, by the issue of "Employment Cards" and the posting of notices in workplaces¹.

The latest published data² concerning the extent to which local authorities have taken advantage of their power to make by-laws show that in 1924, of the 317 local authorities affected in England and Wales, all but twelve had made by-laws, and that of these twelve only five had definitely decided they would not use their powers. When consulted by the Home Office concerning the effect of regulation by by-law upon child employment, all local authorities agreed that the general effect of the Act and by-laws had been to reduce considerably the employment of children under fourteen. For example, in Newcastle-upon-Tyne the number of boys and girls under fourteen employed fell from 1,578 and 258 respectively in 1921 to 275 and 62 in 1924; in Portsmouth, where in 1919 there were 1,538 employed school children between seven and fourteen, in 1924 there were only 170; in Cardiff the number had fallen from approximately 2,000 to 304. The figures gathered by the Home Office showed that a large reduction had occurred in the number of employed children throughout England and Wales.

It cannot be said to what extent the recommendations of the Home Office circular, and the model sets of by-laws which accompanied it, were accepted by the local authorities of England and Wales; but from an examination of typical sets of by-laws³ supplied by the Home Office, they appear to have been closely followed and sometimes surpassed. As some acquaintance with their form

¹ Cf. *ibid.*, sec. 5 (a) to (f).

² *Second Report on the Work of the Children's Branch*. London, H.M. Stationery Office, July 1924.

³ Those of Birmingham, Bristol, Leeds, Leicester, Liverpool, London, Newcastle-upon-Tyne and Nottingham.

will contribute materially to an understanding of the problem of the regulation of child labour in municipal areas, the by-laws of the City of Liverpool, said to be among the best administered local areas¹, have been selected and the relevant parts printed in Appendix II.

§ 3. — Age Provisions

It has been shown that the restrictions upon the age of admission to non-industrial employment fall into two main classes, namely, those imposed upon general employment; and those which relate to certain special employments, such as street trading or work connected with public entertainments. These two classes will now be considered.

GENERAL EMPLOYMENT

Restrictions upon general employment are found in the laws of seventeen States; in twelve of these there are additional restrictions upon specially named employments. The regulation of both general and special employments is, perhaps, the most satisfactory method; however, the absence of a minimum age limit for general employment is not necessarily an indication that the law is incomplete. The place of such a limit may be supplied by a comprehensive list of special employments, or by a strict enforcement of school laws, which would indirectly restrict employment of all kinds during the school term. Moreover a certain number of States restrict employment in "commerce", by which term some of them would seem to mean general employment or something very near to it, though the two terms have not been taken here as synonymous. It seems unnecessary to deal at length with this general type of restriction; its scope can easily be seen from the following table, which shows also the exemptions allowed and the employments specially regulated:

¹ Cf. KEELING: *Child Labour in the United Kingdom*. London, P. S. King and Son, 1914.

TABLE I. — STATES HAVING MINIMUM AGE LIMITS FOR GENERAL EMPLOYMENT

State and law	Age	Application	Exemptions, if any	Special employments separately regulated (see separate tables)
ARGENTINA Employment of Women, etc., Act, 1924, secs. 1 and 3.	12	Any work on account of another.	Trade schools.	Commerce; dangerous performances; street trading; bars.
AUSTRIA Child Labour Act, 1918, sec. 7.	14	Any regular employment.	Light work (10 years).	Public entertainments; dangerous performances; street trading; bars.
BELGIUM Employment of Women and Children Act, 1919-1921, sec. 3.	14	Any employment.	Technical schools.	Public performances; dangerous performances; street trading; bars.
BRAZIL Minors' Code, 1927, sec. 101.	12	Any employment.	—	Public entertainments; dangerous performances; cinematograph studios; street trading; occupations dangerous to morals.
CHILE Contract of Employment Act, 1924, secs. 24 and 29.	14	Any kind of work.	12 for specified work if school attendance completed.	Public entertainments; commerce; dangerous performances; bars; work in places dangerous to morals.
COLOMBIA Education Act, 1927, sec. 7.	14	Any employment by person not parent.	11 years if education completed.	—
CZECHOSLOVAKIA Child Labour Act, 1919, secs. 2 and 4.	12	Employment generally.	Employment for instruction, casual employment.	Public entertainments; bars.
DENMARK Employment of Children, etc., Act, 1925, sec. 1.	14	Work in undertakings carried on for gain.	Family undertakings; persons going on errands; trade schools.	—
ENGLAND AND WALES Education Act, 1921, sec. 92 (1).	12	All employment.	Employment by parent to extent permitted by by-laws.	Public entertainments at night; dangerous performances; taking young persons abroad to perform; street trading; bars.
ESTONIA School Act, 1920.	14	Employment for wages of children obliged to attend school.	—	—
HUNGARY Employment of Children, etc., Act, 1928, sec. 4.	14	Non-industrial employment (<i>Gewerbe</i>).	12 if school attendance completed.	—
LATVIA Hours of Work Act, 1922, sec. 10.	14	Any employment.	—	Bars.

TABLE I. — STATES HAVING MINIMUM AGE LIMITS FOR GENERAL EMPLOYMENT (*continued*)

State and law	Age	Application	Exemptions, if any	Special employments separately regulated (see separate tables)
NETHERLANDS Labour Act, 1919, as amended to 1930, secs. 1 and 9.	14	Any work.	—	Dangerous performances, lifting weights, dangerous or unhealthy work.
PERU Employment of Women and Children Act, 1918, secs. 1 and 2.	14	Employment in any occupation.	12 years for children who pass educational and medical tests; family undertakings.	Public entertainments; dangerous performances; street trading; driving vehicles.
POLAND Polish Constitution, Art. 103.	15	Paid work.	—	Unhealthy work; weight lifting.
SPAIN Employment of Women and Children Act, 1900, secs. 1, 5 and 8.	10	Any work.	9 years if able to read and write; family undertakings.	Public entertainments; dangerous performances; occupations dangerous to morals; bars.
<div> <div>Page 17, table I, Sweden (second column):</div> <div>For "15" read "12".</div> </div>				

SPECIAL EMPLOYMENTS

Commerce, Shops and Offices

A number of States regulate employment in "commerce" without, however, precisely defining the term. It seems safe to assume that it would always include employment in shops, offices and warehouses; in some States it is also held to include work in hotels, restaurants and the like; while in others it covers even street trading and public entertainments. A few States leave it to the competent Minister to decide, in cases of doubt, what employment would come within the term "commerce".

British laws do not employ the word "commerce", but they frequently have provisions which relate to work in shops, offices, warehouses and mercantile establishments. However, these provisions rarely regulate minimum age, but refer usually to the hours and night work of young persons under eighteen. In England and Wales, the employment of children under fourteen in shops and

offices would, like any other form of general employment, be subject to the provisions of the Education Act, 1921. In other countries, too, any provisions relating to general employment would apply equally to commerce, shops and offices and any other employments not specially named.

The following table shows the States having laws to restrict the age of employment of children and young persons in commerce, in shops, offices and similar undertakings:

TABLE II. — STATES HAVING MINIMUM AGE LIMIT FOR EMPLOYMENT IN COMMERCE, SHOPS AND OFFICES

State and law	Age	Application	Exemptions
ARGENTINA Employment of Women, etc., Act, 1924, sec. 2.	14	Public or private commercial establishments.	Family undertakings.
AUSTRALIA Western Australia Factories Act, 1920, sec. 53, amended 1921, sec. 5.	Boy 14 Girl 15	Retail shops and warehouses.	—
BELGIUM Employment of Women, etc., Act, 1919, sec. 19, and Hours Act, 1921.	14	Offices; retail shops; work of employees.	Family undertakings.
BULGARIA Health and Safety of Workers Act, 1917, sec. 1.	12	Commercial undertakings.	14 If elementary education not completed.
CANADA Alberta Factories Act (1926), sec. 1.	15	Shop, office, office building or warehouse.	—
British Columbia Shops Regulation Act (1924), sec. 39.	14	Bake shop.	—
Manitoba Shops Regulation Act Amendment Act (1924), sec. 20.	14	Any shop; office.	Boys 13-14 for 2 hours on school day or 8 hours on non-school day.
New Brunswick School Act (1927).	13	Any mercantile establishment.	Children who have received minimum education, as specified, exempt.
Ontario Factory, Shops and Office Building Act (1927), sec. 26.	14	Any shop.	Family undertakings.
CHILE Salaried Employees Act, 1925, secs. 2 and 24.	14	Work in which mental effort predominates.	Children who have completed school exempt.
FINLAND Commercial Assistants Act, 1919, secs. 1 and 4.	14	Shops; commercial establishments; offices, warehouses and annexes.	—

TABLE II. — STATES HAVING MINIMUM AGE LIMIT FOR EMPLOYMENT IN COMMERCE, SHOPS AND OFFICES (*continued*)

State and law	Age	Application	Exemptions
FRANCE Labour Code, Book II, secs. 2, 3 and 4, amended 30 June 1928.	13	Commercial establishments and dependencies.	For child of 12 years who has finished primary school; family undertakings.
Decree, 21 June 1913, sec. 1.	Boy 14 Girl 16	Work on outside shop frontages.	—
GERMANY Child Labour Act, 1903, secs. 5 and 13.	12	Commerce.	10 years for family undertakings.
GREECE Employment of Women, etc., Act, 1912, sec. 1.	12	Commerce and selling places.	14 if school attendance not finished; 10 in family undertakings.
GUATEMALA Labour Act, 1926, sec. 23.	15	Commercial establishments.	Educational establishments.
PANAMA Administrative Code, 1916, sec. 1095.	14	Commercial establishments.	—
POLAND Employment of Women, etc., Act, 1924, sec. 5.	15	Remunerative work in commerce and offices.	—
RUMANIA Employment of Children, etc., Act, 1928, sec. 5.	14	Commercial undertakings.	Family undertakings.
SWITZERLAND Cantons of Basle Town, Geneva, Glarus, Neuchâtel, Ticino and commune of Lausanne.	14	Shops and offices.	In Geneva children under 14 may be employed for not exceeding 3 hours daily.
YUGOSLAVIA Workers' Protection Act, 1922, secs. 1 and 20.	14	Commercial undertakings.	Family undertakings.

Public Entertainments

Twenty-three States have provisions in their laws to regulate the employment of children or young persons in theatres and other places set apart for public entertainments. The reason for this is the exacting nature of the work, the certainty that education is likely to suffer unless precautions are taken, the presence of health risks due to late hours, the possibility of moral danger, and, in the case of acrobatic and similar performances, danger to life or limb.

Among the earlier protective measures of fairly wide scope may be mentioned the British law entitled Children's Dangerous Performances Act, 1879, which prohibits the employment of a child under fourteen years in any performance considered to be dangerous by a court competent to decide. This was followed a decade later by the Prevention of Cruelty to Children Act, 1889. This law

contained provisions requiring the employers of children over seven and under ten years of age in public entertainments to obtain a licence from a petty sessional court ¹ or (in Scotland) from a School Board. A separate licence was required for each child and it was only valid within the district of the licensing authority. The scope of the law was extended later to include children being trained as acrobats (unless by their parents), the ages being in this employment sixteen years for boys and eighteen for girls. Later again a model licence was drawn up which involved the submission to the licensing authority of a medical certificate of fitness, as well as proof of age, provision for rest intervals between performances, restrictions upon late hours, the appointment of a matron, and *special dressing-room accommodation*.

When, in 1903, a Bill was introduced to prohibit the general employment of children after 9 p.m., it was proposed to include in this restriction children employed in public entertainments; but theatrical managers pointed out that this would be hurtful to dramatic art. As finally passed, the Act allowed children to be employed in public entertainments during the prohibited night hours if a proper licence were first obtained from the local authorities. In England and Wales the law has since been consolidated by the Education Act, 1921, and as it now stands it prohibits absolutely the employment in a public entertainment of a child under twelve years, permits employment of a child twelve to fourteen years old out of school hours without a licence, and requires a licence ² for employment during the prohibited hours, that is to say, after 8 p.m. or such earlier hour as may have been fixed by a local authority. An exception is made to enable children to be occasionally employed, without vexatious restrictions, in entertainments given for the benefit of a church, school or charity, and there are special provisions for dangerous performances.

Throughout the British Commonwealth the laws to regulate the employment of children in public entertainments follow the principles of these English Acts, that is to say, in principle the employment of a child under a specified age is forbidden, but if a licence be obtained from an authority named, the employment of children between certain ages is allowed under safeguarding conditions.

¹ Sittings of one or more magistrates held as occasion may require and at regular intervals when necessary.

² See Appendix III for specimen of licence.

On the European Continent and in South America the licensing system for public entertainments would appear to have developed upon other lines, leading to slightly different results. The division into dangerous and non-dangerous performances is the same as in British laws, except that no mention is made of *training* for dangerous performances, and it is difficult to say whether it be covered or not. The course of legislation has been decided by the popularity of operatic and lyrical pieces, and the ballet. Without the participation of children, the proper performances of many classical and popular operas and pieces would be impossible¹. This state of affairs is met by prohibiting the employment of children in public entertainments below a certain age and allowing exceptions for particular pieces² "in the interests of art, science or education". Permits are required to which conditions are attached designed to protect the health, morals and education of the child³. It would seem that the issue of such permits tends to be left to the higher administrative authorities⁴.

In France there is an absolute minimum of nine years for the issue of a permit for the employment of a child in a public performance and no exceptions are allowed. Elsewhere such absolute minima are not always prescribed by law. In Italy there is no minimum age for the employment of children in operatic and lyrical pieces, though for other kinds of entertainments a fairly high limit (fifteen years) is set and no exemptions are allowed.

A possible objection to an absolute age limit is that it may prejudice the vocational education of young children destined for the stage, and for whom actual stage experience is desirable from

¹ Thus, in the report of a French parliamentary committee recently charged by the Chamber of Deputies with the examination of a proposed amendment of the Labour Code, which would raise the age of children employed in theatres and itinerant callings, we find the Director of the Opéra-Comique referring to the disastrous results which would follow the passing of such a law "since the foundations of the repertoire of the Opéra-Comique rest on pieces like *Carmen*, *Manon*, *Mignon*, etc., whose success is world-wide, and in the performance of which the inclusion of children ten to twelve years old is essential for the choruses written by the authors. It is difficult to see how such children could be replaced, as at about fifteen years boys' voices break and they become unemployable in operatic pieces". (Parliamentary Paper No. 358, Sénat, année 1929: *Annexe au procès-verbal de la séance du 20 juin 1929, Rapport par M. VALLIER*.)

² The name of the piece is given in the British permit likewise, but there is no question there of its artistic or ethical nature.

³ Numerous examples of these conditions may be found in the summaries in Part II.

⁴ In France, for example, for the Paris area application is required to be made to the Minister of Public Instruction and Fine Arts, and elsewhere to the Prefect of the Department.

the very start. This has been referred to, in the report already quoted ¹, by the Director of the Paris Opera, who says:

Children, boys or girls, are admitted to the classes of the Opera dancing school between the ages of eight and twelve years. There they begin apprenticeship to an art which demands a full period of study of at least ten years The employment on the stage at the Opera of children and pupils is one of the most important features of this apprenticeship; it is an established custom at a theatre where, for many pieces, the presence on the stage of a large number of persons of all ages is necessary, though it involves no dangerous or tiring work.

Great Britain, the Irish Free State and Australia possess special Acts to restrict the taking of children or young persons under a certain age out of the country for the purposes of a public performance. The British Act was passed in 1913 to check the increasing employment of English children as dancers in the Paris music-halls; it requires that no young person under sixteen shall be taken out of the United Kingdom for the purpose of a public entertainment unless a licence has been procured from a police magistrate under the conditions laid down in the Act ². In 1930 the age was raised to eighteen years.

Laws concerning dangerous performances offer no special problems, and are to be found in many countries. The employments regulated, which naturally vary somewhat with the country, include acrobatic and contortionist feats, equestrian performances in circuses, wild animal shows and other performances dangerous to health, life or limb. In Great Britain and the Irish Free State both dangerous public performances and training for such performances are covered, but provision is made to license such training if it can be shown that the child or young person is fit for the purpose and that proper arrangements have been made for his health and kind treatment. A licence is not required should the training be done by the child's parents. It has not been ascertained whether the restrictions upon dangerous performances which are found in other countries also include training, but as long ago as 1872 the necessity for including training was realised in Great Britain if the law were to be made effective ³.

Most States regulating dangerous performances have fixed a minimum age of sixteen years; in Peru this age is reduced to

¹ *Rapport VALLIER, op. cit.*

² See "England and Wales", Part II.

³ KEELING, *op. cit.*, pp. 11-16.

fourteen years, and in France and Brazil to twelve years, for children employed by their parents.

Finally the employment of children in studios for the production of cinematograph films, requires to be considered. Whether this comparatively recent addition to the list of child employments would be covered by the older forms of regulation, is a matter which could be settled only by competent national courts. The British Home Office has given its opinion that the provisions of the Education Act which regulate the employment of children in public entertainments in England would not cover performing before the camera. Apparently in France the Labour Code provisions would not cover this occupation either, since an amendment is being considered which would include it. In the meantime, three States Members of the Organisation (Brazil, Germany and Italy) have recently passed special measures to deal with the employment of children in cinematograph studios¹. The interest taken in this subject is evident from the number of enquiries which reach the International Labour Office concerning the law and practice.

A peculiarity of all the laws relating to work in cinematograph studios is that in none is any absolute minimum age below which employment is definitely forbidden fixed. The practice is to prescribe a minimum age below which a child may not ordinarily be employed, to permit exceptions under protective conditions below that age down to three years, and to impose special conditions for children under three. However, in a French Bill now before the Senate, the normal minimum proposed is nine years (as in the case of public entertainments at present), and there would be an absolute minimum of seven years from which no exceptions would be allowed.

The most recent law of this kind is found in Brazil. It prescribes a normal minimum age of eighteen years; should it be desired to employ a young person below this age, written permission must first be obtained from the young person's parents or guardians, and special permission from the competent administrative authorities. The work itself is carefully regulated. Permission to employ an infant under three years will not be given unless necessary in the interests of art or science, and then only after special protective measures have been taken. The law in Germany is very similar². In Italy also strict conditions have to be fulfilled before

¹ Outside the Organisation it is specially regulated by the State laws of California and New York.

² See "Germany", Part II.

permission will be given to employ children below the normal age for admission ¹.

By way of summary, it may be said that rather more than half the States Members consider that employment in public entertainments requires special treatment. This takes the form of prescribing a general age limit and allowing exceptions when it is shown that they are necessary in the interests of art or science or, in the British Empire, without this condition. Most laws cover work both on and off the stage, but some seem to lack precision on this point. In British laws provision is made to enable children to take part in occasional charitable performances without being subject to the usual restrictions.

In nearly all countries the age is raised for dangerous acrobatic and similar performances, but a few countries reduce it again for children employed by their parents. In British laws training a child for a dangerous performance is also regulated. Only three countries have special provisions for work in cinematograph film studios, and in none is there as yet an absolute age limit. All have strict permit regulations for children so employed below the normal age, and in two countries special provision is made for infants less than three years old.

The following table shows the age limits for the employment, both with and without a permit, of children and young persons in the different forms of public entertainments considered here:

TABLE III. — PUBLIC ENTERTAINMENTS: STATES HAVING SPECIAL PROVISIONS TO REGULATE THE AGE OF ADMISSION TO PUBLIC ENTERTAINMENTS

State and legislation	Occupations	Age limits		Conditions of permit
		No employment below	With permit to	
ARGENTINA Employment of Women, etc., Act, 1924.	Dangerous feats (sec. 22).	18	—	—
AUSTRALIA New South Wales Child Welfare Act, 1923.	Performing or selling articles in public entertainments on licensed premises (sec. 42).	7	12	Adequate provision for health and kind treatment must be made.
	Dangerous performances (sec. 41).	14	—	—

¹ See " Italy ", Part II.

TABLE III. — PUBLIC ENTERTAINMENTS: STATES HAVING SPECIAL PROVISIONS
TO REGULATE THE AGE OF ADMISSION TO PUBLIC ENTERTAINMENTS
(continued)

State and legislation	Occupations	Age limits		Conditions of permit
		No employment below	With permit to	
Queensland State Children Acts, 1911 to 1928.	In connection with public entertainment (1911, sec. 67 B (3)).	7	17	Must furnish proof of age; if under 14 certificate of school attendance and only for work in vacations.
South Australia Children's Protection Act, 1899, amended 1918.	Work in or in connection with public entertainment (sec. 10 A (1) and sec. 3). Dangerous circus or acrobatic performances (sec. 144).	6 13	— —	— —
Western Australia Child Welfare Act, 1907-1927.	Performing or selling articles in public entertainments (sec. 106 (c)). Circus or dangerous performance (sec. 137).	— 14	16 —	— —
AUSTRIA Child Labour Act, 1918, Decree 20 May 1920 concerning exemptions. Actors' Act, 1922 (permits). Decree, 20 May 1920.	Public entertainments, as actor or in other capacity (sec. 12). Acrobatic or dangerous feats in circuses or similar places.	— 14	14 —	Given only in interest of art, science or education; consent of school managers needed, and, (by Actors Act) of parent or guardian. —
BELGIUM Order, 27 April 1927. Act, 26 May 1888.	Theatrical entertainments, music-halls, etc.; performing or selling articles (secs. 2 and 3). Contortionist and dangerous performances (sec. 1). Acrobatic, etc., performances without consent of parent (sec. 2). Do. with consent of parent, or when parent employer (sec. 2).	— 18 18 14	16 — — —	Given only for theatrical entertainments, must not endanger morals. — — —
BOLIVIA Regulations under Supreme Decree, 21 September 1929.	Theatres or public entertainments (sec. 16).	16	—	—
BRAZIL Minors' Code, 1927.	Public performances, acting or any other work (sec. 111). Film studios (sec. 128). Café-concerts or cabarets (sec. 111). Dangerous feats (sec. 113). Acrobatic and like employments when employer not parent (sec. 113). Do. when employer parent (sec. 113).	— — — 21 16 16 12	Boys 16 Girls 18 18 — — — —	For specified pieces only, consent of parent, safeguarding conditions regarding hours, health, morals. Consent of parent and safeguarding conditions concerning health, night work and morals: if for child under 3, interests of art or science and special health measures.

TABLE III. — PUBLIC ENTERTAINMENTS: STATES HAVING SPECIAL PROVISIONS TO REGULATE THE AGE OF ADMISSION TO PUBLIC ENTERTAINMENTS

(continued)

State and legislation	Occupations	Age limits		Conditions of permit
		No employment below	With permit to	
BULGARIA Health and Safety of Workers' Act, 1917.	Variety entertainments (sec. 15).	18	—	—
CANADA Alberta Children's Protection Act (1922).	Performing or selling articles in circus or place of amusement (sec. 28).	10	18	Provisions to secure health and kind treatment.
Manitoba Child Welfare Act (1924, amended 1928).	Performing or selling articles in any public place (sec. 176 (b)).	18	—	—
	Performing or selling articles in places to which public admitted by payment (sec. 76 (d)).	10	18	Physical fitness and arrangements to secure health and kind treatment.
Ontario Children's Protection Act (1927).	Performing or selling articles in any public place (sec. 16 (1)).	16	—	—
	Performing or selling articles in places to which public admitted by payment (sec. 16 (2)).	10	16	Physical fitness and arrangements to secure health and kind treatment.
Saskatchewan Child Welfare Act (1927).	Performing in public or offering articles for sale at performance (sec. 51).	—	16	Arrangements to secure health and kind treatment.
CHILE Contract of Employment Act, 1924.	Employment in public performances, etc. (sec. 34).	—	14	For particular plays only.
Protection of Minors Act, 1928.	Acrobatic performance (sec. 31).	16	—	—
CZECHOSLOVAKIA Child Labour Act, 1919.	Public entertainments (sec. 8).	—	14	Interests of instruction, education, art or science and on conditions to safeguard education.
ENGLAND AND WALES Education Act, 1921.	Public entertainments during day-time performing or selling articles (sec. 100 (1) (b)).	12	—	—
	Do., during prohibited night hours (sec. 100 (1)).	12	14	To secure physical fitness, health and kind treatment.
	Training as an acrobat or for any dangerous performances (sec. 100 (1) (c)).	12	16	Do.
Children's Dangerous Performances Acts, 1879-1897.	Taking part in dangerous public performance (sec. 3).	Boy 16 Girl 18	— —	—
Children (Employment Abroad) Acts, 1913-1930.	Taking abroad to perform in public entertainment (sec. 1).	14	18	Consent of parent needed: given for particular engagement only and on conditions to secure physical fitness and kind treatment.

TABLE III. — PUBLIC ENTERTAINMENTS: STATES HAVING SPECIAL PROVISIONS TO REGULATE THE AGE OF ADMISSION TO PUBLIC ENTERTAINMENTS

(continued)

State and legislation	Occupations	Age limits		Conditions of permit
		No employment below	With permit to	
FRANCE Labour Code, Book II.	Actors, etc., in theatres, café-concerts, etc. (sec. 50).	9	12	Concern health, education, morals, supervision and to safeguard child's pecuniary profits.
	Dangerous contortionist performances (sec. 60).	—	16	—
	Acrobatic and like performances when employer not parent (sec. 60).	—	16	—
	Do. when employer parent (sec. 60).	12	16	—
GERMANY Child Labour Act, 1903.	Theatrical and public entertainments (secs. 6 and 15).	—	13	In interests of art or science only.
Federal Act, 31 July 1925.	Taking of cinematograph films (sec. 6a (2)).	3	13	Conditions to secure moral, educational and physical welfare.
	Do. (sec. 6 (a) (3)).	—	13	For children under three, interests of art or science and special health and safety and supervision measures.
GREECE Employment of Women, etc., Act, 1912.	Theatrical and like performances (sec. 11).	—	14	In interests of art only.
IRISH FREE STATE Prevention of Cruelty to Children Act, 1904.	Public entertainments (sec. 2 (c)).	10	11	To secure health, physical fitness and kind treatment.
	Training as acrobat or for dangerous performances (sec. 2 (d)).	16	—	—
Children's Dangerous Performances Acts, 1879-1897.	Taking part in dangerous performances (sec. 13).	Boy 16 Girl 18	—	—
Children (Employment Abroad) Act, 1913.	Taking child abroad to perform (sec. 1).	14	16	Consent of parent, for particular engagement only and to secure physical fitness and kind treatment.
ITALY Maternity and Child Welfare Act, 1925.	Variety and like entertainments (not operatic or dramatic performances) (sec. 21).	15	—	No permit needed, but minors employed in public entertainments must furnish proof of age.
	Acrobatic and dangerous performances (sec. 21).	16	—	—
	Taking of cinematographic films (sec. 21).	—	15	To safeguard health, strength and morals consent of parent needed. Given for educational films only.
NETHERLANDS Decree 20 August 1920.	Dangerous feats or performances (sec. 2).	18	—	—
NORWAY General Penal Act, 1902.	Public entertainments (sec. 381-4).	—	16	—
	Dangerous feats (sec. 381-5).	18 16	— —	—

TABLE III. — PUBLIC ENTERTAINMENTS: STATES HAVING SPECIAL PROVISIONS TO REGULATE THE AGE OF ADMISSION TO PUBLIC ENTERTAINMENTS

(concluded)

State and legislation	Occupations	Age limits		Conditions of permit
		No employment below	With permit to	
PERU Employment of Women, etc., Act, 1918.	Public entertainments, as actors (sec. 13).	—	14	For special performances and only as supernumeraries. No employment after 11 p.m.: proof of age to be furnished.
	Contortionist feats (sec. 33).	16	—	—
	Acrobatic feats, employer not parent (sec. 35).	16	—	—
	Do. if employer parent (sec. 36).	14	—	—
PORTUGAL Employment of Women, etc. Decree 1927.	Gymnastic or acrobatic feats (sec. 7).	16	—	—
SOUTH AFRICA Children's Protection Acts, 1913-21.	Taking part in public entertainment (sec. 52).	—	14	To secure physical fitness, to safeguard against risks and to secure kind treatment.
SPAIN Employment of Children, etc., Act, 1900.	Employment in public entertainment (sec. 6).	—	16	Character of piece and welfare of child to be considered.
	Acrobatic performances (sec. 6).	16	—	—
	Employment in film studios (sec. 16), and Penal Code (sec. 841).	—	16	—
SWITZERLAND Canton of Geneva	Public entertainment.	14	—	—
Canton of St. Gall	Shows or fairs.	12	—	—
Cantons of Zurich, Zug, Basle Town, St. Gall.	In cinematograph halls.	18	—	—
Cantons of Lucerne, Fribourg and Valais.	Do.	20	—	—

Street Trading

The evils which may result from allowing children, especially girls, to be employed in street trading have long attracted the attention of administrators and philanthropists. So long ago as 1826 the Glasgow magistrates expressed the view that "selling articles on the streets provided a school of vice for the young of both sexes", and half a century later the miserable condition of child street sellers in London and elsewhere was often commented on. In 1884, when the Society for the Prevention of Cruelty to Children was founded in London, street trading was one of the most fruitful sources of suffering with which it had to deal. In 1909 a

Departmental Committee was appointed to make investigations. Characterising street trading as “ a wasteful and uneconomic use of the energies of children ”, the Committee recommended that this occupation should be abolished for boys under seventeen and girls under eighteen ¹.

During the last quarter of the nineteenth century, constant efforts were being made in the United Kingdom, both nationally and through municipal by-laws, to improve the situation of street traders. However a great advance was made upon everything that had gone before when in 1903 the Employment of Children Act was passed to regulate generally the employment of children outside industry. The Act contained provisions concerning street trading by children; it definitely forbade such employment for any child under 11, and gave local authorities power to impose conditions concerning age, licences, badges, etc. “ Street trading ” was defined as “ the hawking of newspapers, matches, flowers and other articles, playing, singing or performing for profit, shoeblacking, and any other like occupation carried on in the streets or public places ”². The Act applied to England, Wales, Scotland and Ireland. In 1908 the definition of “ street trading ” was extended by the Children Act which added a clause to prevent children under 14 from entering bars and public houses to sell newspapers, a provision which had been adopted by several local authorities in their by-laws. In 1921, the Education Act consolidated the provisions of the Acts concerning the employment of children outside industry, for England and Wales, and raised the minimum age for street trading from eleven to fourteen years. As regards Scotland, the provisions of the Act had already been amended by the Education Act of 1918 which raised the minimum age there for street trading to seventeen years for both boys and girls. In the Irish Free State the age is fourteen in Dublin and elsewhere eleven, but it may be raised by by-laws.

In the Dominions legislation seems to have proceeded upon the same lines as in Great Britain. Some Dominion laws, however, still belong to the early type of English legislation in that they

¹ As far as the International Labour Office is informed, the employment of children in street trading seems to have been investigated on a useful scale only in the British Empire and the United States. There is no good reason to think, however, that the problem does not exist elsewhere, or that it exists in a less acute form.

² The House of Lords excluded from the definition the words “ plying for hire in carrying luggage or messages ”, though a subsequent special enquiry showed that the occupation of “ station lounge ” was one of the very worst forms of street trading in which boys could be engaged. (Cf. KEELING, *op. cit.*, p. 23.)

provide fines for causing, procuring, or allowing children to be engaged in street trading, while containing no absolute prohibition.

On the Continent of Europe there is a surprising paucity of regulation which contrasts with the comparative abundance of British (and, it might be added, United States) laws. It is not satisfactorily explained by the fact that laws governing general employment would also cover street trading, since this is also the case in the Anglo-Saxon countries. Furthermore, the minimum age for general employment is nearly everywhere below that usually fixed for street traders.

Nevertheless the earliest of all street trading laws is found on the Continent in the form of a Luxemburg Act of 18 June 1870 (still in operation) which requires all street traders under fourteen years to have a licence, and permits such licence to be granted only in cases of absolute necessity. How this Act was enforced and whether it encountered difficulties, cannot be said; it seems, however, to have been greatly in advance of its time, and even to-day it would not suffer in comparison with some recent laws.

Rather more than half the countries whose street trading laws are being considered regulate upon a national scale, that is to say, the law applies throughout the whole country. The remainder—the British Dominions—have no State-wide regulations but permit local authorities to pass by-laws to regulate the employment of children in street trades within a framework provided by the enabling Act. In the United Kingdom and Irish Free State a combination of both methods is found which fixes an absolute national minimum and enables local authorities to prohibit or allow street trading on conditions, as regards young persons under sixteen.

Seven States by State-wide laws raise the age for girls or forbid their employment altogether in street occupations. In the remainder the age is the same for both sexes. The absolute minimum for boys ranges from eleven years in the Irish Free State to sixteen years in Belgium. For girls it ranges from eleven to eighteen, or complete prohibition, in a number of States. Greece allows the age to be lowered from fourteen to twelve years for boys selling newspapers, and is the only country permitting an exemption in connection with street trading.

In certain Canadian Provinces the occupations of express messenger, newspaper seller, bootblack and pin-boy in a bowling alley may be specially regulated by by-law, as it has been ascertained that children so employed are exposed to greater moral

risks than in other occupations. In some other Canadian Provinces street trading is forbidden during school hours only.

The weakness of all street trading laws for children is undoubtedly the difficulty of enforcing them. As regards children selling articles (as opposed to those delivering goods), all authorities who have given attention to the matter are agreed that unless such children are compelled to wear a conspicuous badge while at work, effective control is very difficult. Most laws are therefore found to contain a provision that street traders are to be licensed ¹ and wear a badge, or a licence and badge combined. The badge is either issued free ², or a deposit is required, and there are arrangements to prevent its improper use or its transfer to unauthorised persons. The requirement of a small deposit has been found useful in preventing improper transfer. Licences usually have to be renewed at intervals of six months or a year.

It has been found important, in dealing with offences against these laws, to distinguish between the child trading in the employment of another person (such as a parent, a newsvendor or a newspaper enterprise) and the child who buys papers or other goods and sells them at a profit on his own account. In the first case, the employer must be proceeded against; in the second, the child, or child and parent. As regards child offenders, in England the general policy of the enforcing authorities seems to be to treat the regulations as "welfare" rather than punitive measures and to administer them accordingly. Offenders are first warned, and if the offence is repeated they are summoned before the enforcing authorities, and their licence may be suspended, or even revoked. In extreme cases, the power to send an offender to an industrial school may be used.

From what precedes, it will be evident that street trading by children is an occupation presenting special problems for the solution of which the laws governing general employment may not be sufficient. For this reason about half the laws considered in this report have special provisions concerning street trading. Rather more than half of these laws are of State-wide application; the remainder merely confer on local authorities the power to make by-laws, applicable to their districts, within the framework of the enabling

¹ For specimen form of licence, see Appendix III.

² Some American State authorities advocate making a small charge in the belief that the young street trader who has to pay for his licence, takes his calling more seriously, and that this, by inculcating self-respect, leads to easier control.

Act. Regulation by by-law seems to be peculiar to the British Commonwealth, but in the United Kingdom and the Irish Free State there is also an absolute State-wide minimum age limit, which local authorities may raise by by-law. The average minimum age which these laws or by-laws prescribe is probably about fourteen years for boys and sixteen for girls, except when the occupation is prohibited for girls altogether. The school authorities or the police usually enforce the law with the help of a licence and badge system.

Seventeen States have laws which specially regulate street trading by children or young persons; the main provisions of these laws are shown in the following table:

TABLE IV. — STATES HAVING LAWS WITH PROVISIONS TO REGULATE THE AGE OF EMPLOYMENT OF CHILDREN OR YOUNG PERSONS IN STREET TRADING

State and law	Restrictive provisions	Absolute age limit		With permit up to :	Conditions
		Boys	Girls		
ARGENTINA Employment of women, etc., Act, 1924.	Any occupations carried on in the streets or public places on own or other person's account forbidden (sec. 4).	14	18	—	—
AUSTRALIA New South Wales Child Welfare Act, 1923.	Minister or local authority may licence street trading and require badge to be worn (sec. 48).	12	Forbidden	16	To safeguard moral and material welfare.
Queensland State Children Acts, 1911 to 1928, and Regulations, August 1929.	Employing unlicensed child in street trading or licensed child in unauthorised trade, penalty provided (sec. 67; trades authorised by regulations are: sale of newspapers, matches and flowers, and bootblacking).	12	12	14	To safeguard moral and material welfare.
South Australia Children's Protection Act, 1899.	Local authorities may regulate street sale of newspapers, etc., and require licence and badge (sec. 12).	13	Forbidden	—	—
Western Australia Child Welfare Act, 1907-1927.	Child Welfare Dept. may regulate street trading and require licence and badge (sec. 104).	12	12	—	—
AUSTRIA Regulations 17 May 1919.	Street or other occupation or any itinerant calling forbidden (sec. 7).	14	14	—	—
BELGIUM Royal Order, 27 April 1927.	Employment in streets forbidden (sec. 3).	16	16	—	—
BRAZIL Minors' Code, 1927.	Any street occupation forbidden (sec. 112).	14	18	18	Permit and badge required.

TABLE IV. — STATES HAVING LAWS WITH PROVISIONS TO REGULATE THE AGE OF EMPLOYMENT OF CHILDREN OR YOUNG PERSONS IN STREET TRADING

(continued)

State and law	Restrictive provisions	Absolute age limit		With permit up to:	Conditions
		Boys	Girls		
CANADA					
Alberta Children's Protection Act (1922).	Local authority may regulate messengers, newspaper, etc., sellers and bootblacks (sec. 17). Singing, playing, performing or selling articles in a public place (sec. 28).	12	18	18	Consent of parent in case of boy under 14.
		18	18	—	—
Manitoba Child Welfare Act (1924-1929).	Selling newspapers, etc., or distributing advertising matter; child may be arrested (sec. 29). Habitual peddling or selling articles in school time, child may be arrested (sec. 29).	12	12	—	—
	Local authorities may regulate messengers, newspaper sellers, bootblacks and bowling alley boys (sec. 168).	14	14	—	—
		12	18	—	Authorisation of parent, boys 12 to 14.
New Brunswick Children's Protection Act (1927).	Local authority may regulate street trades or occupations (sec. 51).	Not prescribed		—	—
Nova Scotia Education Act. as amended 1930.	Street trading in school hours forbidden (sec. 135). Local authority may regulate employment as messenger, newspaper seller or vendor of small wares (1930 amendment).	12	12	16	Examination in Grade 7.
		16	16	—	Necessity to work will excuse children over 13 from examination.
Ontario Children's Protection Act (1927). Municipal Act (1927).	Any street trade or occupation forbidden (sec. 14). Municipalities may regulate express messengers, newspaper sellers, bootblacks (sec. 431).	12	16	—	—
		Not prescribed		—	—
Quebec Cities and Towns Act.	Local authority may regulate street occupations and license newspaper carriers (sec. 428).	Not prescribed		—	—
Saskatchewan City Act (1925-1926) and Town Act (1927).	Local authority may regulate messengers, newspaper, etc. sellers and bootblacks (sec. 219, City Act, and sec. 209, Town Act).	12	Forbidden	—	Consent of parents for boy 12 to 14.
ENGLAND AND WALES Education Act, 1921.	Street trading as defined forbidden (sec. 92). Local authority may forbid or impose conditions (sec. 91) up to 16.	14	14	—	—
		—	—	—	As may be prescribed in by-law.
ESTONIA Tallin Municipal By-laws, 22 April 1925.	Sale of newspapers in streets of Tallin (sec. 4).	13	13	—	—

TABLE IV. — STATES HAVING LAWS WITH PROVISIONS TO REGULATE THE AGE OF EMPLOYMENT OF CHILDREN OR YOUNG PERSONS IN STREET TRADING
(concluded)

State and law	Restrictive provisions	Absolute age limit		With permit up to:	Conditions
		Boys	Girls		
GERMANY Federal Child Labour Act, 1903.	Delivery of goods by strange children forbidden (sec. 8).	12	12	—	—
GREECE Employment of Women, etc., Act, 1912.	Selling articles in streets, etc., or from house to house forbidden (sec. 12). Exemption for boys selling newspapers (sec. 10).	14	14	—	—
GUATEMALA Labour Act, 1926.	Occupation carried on in streets or public place (sec. 24).	12	Forbidden	—	—
IRISH FREE STATE Employment of Children Act, 1903.	Street trading forbidden (sec. 3). Local authorities may forbid or impose conditions up to 16 (sec. 1).	15	18	—	—
Street Traders Act, 1926.	Street trading in Dublin (sec. 2).	11	11	—	As may be prescribed in by-law.
LUXEMBURG Act, 18 June 1870.	Street trading under 14 only allowed in cases of absolute necessity (sec. 3).	—	—	—	—
PERU Regulations 25 June 1921, under Employment of Women, etc., Act. 1918.	Street trading forbidden (secs. 18 and 20).	14	14	18	Necessity to work due to poverty; proof of ability to read, write and reckon and of physical fitness.
SOUTH AFRICA Children's Protection Act, 1913.	Local authority may prohibit or regulate street trading (sec. 5).	16	16	—	—
SWEDEN Street Trading Act, 1926.	Local authority may prohibit or regulate (sec. 1).	12	12	16	
SWITZERLAND Canton of Aargau.	Itinerant trading or performing.	15	15	—	
Cantons of Basle Rural, Ticino and Neuchâtel.	Do.	16	16	—	
Cantons of Zurich, Uri, Glarus, Fribourg, Solothurn, Basle Town and Appenzell A.-Rh.	Do.	18	16	—	
Cantons of Berne, Lucerne, Schwyz, Unterwalden Ob. and Nid., Zug, Schaffhausen, Appenzell I.-Rh., St-Gall, Grisons, Thurgau and Valais.	Do.	20	20	—	

Bars, etc.

The age of admission to employment in public houses, bars and other places where intoxicating liquors are sold is regulated in one

form or another in twenty-two States. The scope of this regulation varies slightly. In Argentina, Estonia and France¹ restrictions are limited to "the sale of intoxicants" in such places; in Bolivia to "employment as a waiter"; in Guatemala to "the sale or delivery of intoxicants". Elsewhere merely "employment" is specified, presumably any sort of employment. Austria, Czechoslovakia and Germany specify "employment" and, separately, "serving customers with drink". In Germany the age limit where girls are concerned is raised for serving customers. Perhaps the most comprehensive form is that found in the United Kingdom, Irish Free State and Union of South Africa, where the entry of a child of the ages specified into the bar of any licensed premises, except during closing hours, renders the holder of the licence liable to a penalty. These laws were not primarily designed to stop the sale of intoxicants by children (which would have been covered by restrictions upon general employment) but to prevent children from being sent into public houses and similar places to sell newspapers or articles or to fetch drink for consumption off the premises. Obviously, however, such laws are equally effective for checking employment, since the mere presence of a child on the premises² during business hours is sufficient to secure conviction.

For the most part these laws are clearly directed against the association of children with the sale of intoxicating liquor. In six States, however—Belgium, Bolivia, Bulgaria, Canada (Alberta, Quebec), Greece and Panama, employment in hotels, or hotels and restaurants, is specified; it is possible that this would also cover such occupations as those of page, bell boy, kitchen assistant and so on, which are regulated by no other provisions than those relating to general employment or imposed by by-law. In Austria, Czechoslovakia and some Canadian Provinces, breweries and places where intoxicants are manufactured are specified.

The age for admission to these places varies from twelve years (Germany and Greece) to twenty-one years (Chile, Guatemala and Latvia). When the dates of the restricting measures are taken into consideration, a progressive rise in age may be observed. Indeed, the tendency at present seems to be to establish 18 years as the minimum for this employment. Exemptions for family undertakings are allowed in France (no absolute limit), Greece (a

¹ In France the restrictions are imposed by a Police Act and apply only to girls not belonging to the family of the occupier.

² The Acts allow the child to pass through the bar to reach some part of the premises to which access could not otherwise be obtained.

limit of ten years), Italy (no absolute limit) and the Irish Free State (in respect of girls). A limited exemption is also allowed in Germany, applicable to places with a population of under 20,000 and given by the police by way of exception only.

The following table shows the ages for admission to bars and places where intoxicants are sold:

TABLE V. — AGE FOR ADMISSION TO EMPLOYMENT IN PUBLIC HOUSES, BARS AND PLACES WHERE INTOXICATING LIQUORS ARE SOLD OR SERVED

State and legislation	Controlled occupation	Age
ARGENTINA Employment of Women, etc., Act, 1924, sec. 11 (j).	Sale of alcoholic beverages.	18
AUSTRIA Child Labour Act, 1918, sec. 11, and Schedule I.	Selling intoxicating liquors or serving customers; employment in bars, breweries and public houses.	14
BELGIUM Employment of Women, etc., Act, 1919-1921, sec. 1.	Employment in hotels and public houses.	14
BOLIVIA Supreme Decree, 21 Sept. 1929, sec. 2.	Waiters in places where intoxicating liquors sold.	boys 16, women any age.
BULGARIA Health and Safety of Workers Act, 1917, sec. 15.	Employment in hotels and beer-houses.	18
CANADA Alberta Factories Act (1926), sec. 20 (1).	Employment in hotels and restaurants.	15
Manitoba Government Liquor Control Act (1928), sec. 82.	Employment as bar-tender.	21
New Brunswick Children's Protection Act (1919), sec. 10 (i).	Child employed in brewery or place where intoxicants sold, may be apprehended.	16
Nova Scotia Children's Protection Act (1919), sec. 22 (i).	As New Brunswick.	16
Yukon Sale of Beer Ordinance, sec. 37.	Sale of beer.	21
CHILE Minors' Protection Act, 1928, sec. 31.	Employment in places where intoxicants sold.	21
CZECHOSLOVAKIA Child Labour Act, 1919, secs. 7 and 8.	Employment in places where intoxicants retailed or served.	14
ENGLAND AND WALES Children Act, 1908, sec. 120.	Being in bar of licensed premises except during closing hours.	14
ESTONIA Act, 10 May 1927, secs. 5 and 17.	Sale of alcoholic beverages in restaurants, etc.	20

**TABLE V. — AGE FOR ADMISSION TO EMPLOYMENT IN PUBLIC HOUSES,
BARS AND PLACES WHERE INTOXICATING LIQUORS ARE SOLD
OR SERVED (*concluded*)**

State and legislation	Controlled occupation	Age
FRANCE Police Act regulating public houses, 1 Oct. 1917.	Serving intoxicants in public houses, except children of occupier.	18 (girls only)
GERMANY Child Labour Act, 1903, sec. 7.	Employment in inns and public houses (limited exemption for children of occupier allowed); Serving drink in inns and public houses.	12 13 (girls only)
GREECE Employment of Women, etc., Act, 1912, sec. 1 (f) and (g).	Employment in public houses, wine shops, confectioners' shops and hotels, if education not completed; Do., if education completed. Exemption for children of occupier.	14 12 10
GUATEMALA Labour Act, 1926, sec. 27.	Sale or delivery of intoxicants.	21
IRISH FREE STATE Children Act, 1908, sec. 120. Intoxicating Liquor (General) Act, 1924, sec. 12.	Being in bar of licensed premises except during closing hours. Sale of intoxicating liquor.	14 Boy 16 girl 18 ¹
ITALY Maternity and Child Welfare Act, 1925, sec. 23.	Employment in places for sale of alcoholic beverages, except children of occupier.	18
LATVIA Hours of Work Act, 1922-1924, sec. 11.	Employment in places where intoxicants sold.	21
NORWAY General Penal Act, 1902, sec. 381.	Serving intoxicants in bar.	Male 18 female 21
PANAMA Administrative Code, 1916, sec. 1095.	Employment in restaurants, etc. Employment in places dealing in sale of intoxicants.	14 18
SOUTH AFRICA (Union of) Children's Protection Act, 1913, sec. 49.	Being in bar of licensed premises except during closing hours.	16
SPAIN Penal Code, 1928, sec. 845.	Penalty provided for employment in places where intoxicating liquors sold or consumed.	16
SWITZERLAND Canton of Zurich. Cantons of Lucerne, Uri, Unterwalden Ob. and Nid., Basle Town, Grisons, and Valais. Cantons of Glarus, Zug, and Fribourg. Cantons of Berne, Solothurn, Schaffhausen, Appenzell A.-Rh. and I.-Rh., St. Gall, Thurgau and Neuchâtel.	Serving in bars, etc. Do. Do. Do.	Male 16 female 20 Male 16 female 18 18 Female 18

¹ If relative of occupier, age sixteen for girls.

Miscellaneous Occupations

There remains to be considered a small number of special occupations, of a type more commonly found in local than in general enactments, with which, nevertheless, some States have thought it desirable to deal through laws of State-wide application. This group includes employment in billiard rooms and the like, in racing stables, in places or occupations which might be prejudicial to morals, in hospitals, etc., in driving vehicles and in cleaning streets.

Two Canadian Acts (Alberta, British Columbia) forbid the employment of a youth in or about a billiard room. British Columbia even has an Act allowing Municipalities to regulate or forbid entry of young persons of either sex under eighteen into billiard rooms. Manitoba enables local authorities to regulate, license or control the employment of boys from twelve to eighteen years of age in bowling alleys, and forbids the issue of a licence to a girl under eighteen years, or to a boy of twelve to fourteen years without the written consent of his parents or guardians. Two Australian States (Queensland, Western Australia) forbid the employment of a boy under fourteen in or about a racing stable.

Admission to employment in places or occupations which involve moral dangers for children or young persons is regulated in six countries: Belgium, Bolivia, Brazil, Chile, Spain and Venezuela. The places admission to which is forbidden include night clubs, cabarets, dancing halls, gaming establishments, and houses of ill-fame; the occupations include the preparation of printed matter, pictures or objects which, even though not contrary to the penal laws of the country, might endanger the morals of children or young persons. The ages vary from sixteen to twenty-one years.

To complete this enumeration it may be noted that in Bulgaria young persons less than eighteen years old may not be employed in hospitals, sanatoria or baths; in Finland children under fourteen may not be employed in baths; in Portugal such children may not be employed as postilions; in Peru young persons under twenty-one may not drive or steer a vehicle, while in Guatemala they may not sweep the streets of towns.

The following table summarises the laws above referred to:

TABLE VI. — MISCELLANEOUS GROUP OF FORBIDDEN OCCUPATIONS

State and legislation	Employment forbidden	Age
AUSTRALIA		
Queensland State Children Acts, 1911 to 1928, sec. 67.	In a racing stable.	14
Western Australia Child Welfare Acts, 1907 to 1927, sec. 106.	In or about a racing stable.	14
BELGIUM Royal Order, 27 April 1927, sec. 3.	In dancing halls, night clubs, etc.	16
BOLIVIA Supreme Decree, 21 Sept. 1929, sec. 2.	In places where work, though not unlawful, might prejudice morals.	Boys 16, women 21
BRAZIL Minors' Code, 1927, sec. 111.	Café-concerts or cabarets. Preparation of printed matter or objects prejudicial to morals though not unlawful.	21 18
BULGARIA Health and Safety of Workers Act, 1917, sec. 15.	In hospitals, sanatoria and baths.	18
CANADA		
Alberta Billiard Room Act (1922), sec. 12.	In or about a billiard room.	18
British Columbia Pool-Rooms Act (1924), sec. 11. Municipal Act (1924), sec. 2.	In a billiard room and the like. Presence may be forbidden in billiard rooms, etc., by by-law.	Boys 18 Both sexes 18
Manitoba Child Welfare Act (1928), sec. 168.	As pin-boy in bowling alley, may be regulated by by-law.	Boy 12, girl 18
CHILE Minors' Protection Act, 1928, sec. 31.	In house of ill-fame or gaming house.	21
FINLAND Employment of Children, etc., Act, 31 July 1929, sec. 2.	In bath establishment.	14
GUATEMALA Labour Act, 1926, sec. 27.	To clean streets in towns.	21
PERU Employment of Women, etc., Act, 1918, sec. 30.	To drive or steer a vehicle.	21
POLAND Decree, 29 July 1925, secs. 17, 27 and 29.	Rag collecting, work in hos- pitals, etc., weight lifting.	18
PORTUGAL Decree 14498 of 1927, sec. 7.	As public or private postillion.	14
SPAIN Penal Code, 1928, sec. 845.	In occupations or places dan- gerous to morals, though not unlawful, and in dancing halls.	16
VENEZUELA Labour Act, 1928, sec. 16.	In places where work might prejudice morals.	21

§ 4. — Enforcement

The enforcement of the law relating to non-industrial occupations hardly lends itself to international regulation. It is essentially a matter for national authorities and must perforce be left to them, though an international convention may usefully require the employment of certain aids, such as registers of employed children, proof of age and so on.

There are certain inherent difficulties in enforcing these laws due to the fact that the work is not, as in industry, performed by large groups of persons working together in a factory at all times open to inspection, but by small isolated units employed in places where control is often difficult and which are not always fixed. The workers themselves are usually school children, and if they have grievances the opportunities for making them heard probably do not exist. To add to these difficulties the employer may be the child's parent. It is clear, then, that anything resembling a system of factory inspection is out of the question except in the case of workers who may happen to be employed in shops.

As regards children employed on inside work in shops, shop inspectors would seem to be the most natural enforcing agency, and little or no difficulty should be experienced. It is otherwise, however, when children are employed out of doors in delivery or similar work or in street trading. A limited control may be exercised by the police, by officers of child welfare departments or of private organisations devoted to child welfare, by school attendance officers and by public health officers. But whatever the agency, experience has proved that adequate enforcement is not at all easy, and extraneous aids have been devised such as employment cards, licences and badges.

Public entertainments require special notice. They sometimes present difficulties in the matter of enforcement because this duty devolves upon no particular authority. In certain Canadian Provinces the law provides for the appointment of special officers for this purpose, but details are lacking as to the methods used. In England it was found in practice that the best results were attained when inspection was left to an officer, police or other, appointed *ad hoc*, especially if this appointment were given to the official representing the local authority in court when applications were made for licences ¹.

¹ See KEELING, *op. cit.*, pp. 37-40, where the matter is dealt with in much detail.

The majority of countries whose laws have been examined appear to make no special arrangements for enforcement, and it can only be supposed that the matter is dealt with by local authorities. Special, and rather elaborate, machinery exists in Austria and Czechoslovakia. It is centralised in a State Department having special inspection officers. The police, school authorities, juvenile welfare organisations and even the clergy and medical practitioners all co-operate in varying degrees. In Italy there is an organisation known as the National Foundation for Maternity and Child Welfare which exercises a general supervision and may call in the aid of labour inspectors and the police when necessary. Very complete statutory provisions, already discussed, for enforcement are found in the English Education Act, 1921. They deal almost exclusively with employed school children and leave the administration of the law to the local education authorities.

The principal aids to enforcement are licences and badges for juvenile street traders, and licences for the employment of children in public entertainments, used in both cases throughout the British Commonwealth, but only for public entertainments in other countries. In Brazil and France persons who employ children in itinerant callings are required to possess identity papers and birth certificates in respect of such children.

All laws provide penalties for breaches of their provisions—usually fines and in some cases imprisonment. Special penalties are often imposed for breaches of the provisions relating to dangerous performances. The question of penalties, however, is not one which is capable of being dealt with internationally.

PART II

SUMMARY OF LEGISLATION

The information given in this part is purely documentary. It consists of summaries of national laws, arranged in alphabetical order, which govern the admission of children or young persons to the occupations dealt with in the report. Under the heading *Legislation* the titles and dates of the relevant Acts are given with an indication of their scope. Under *Age Provisions* the clauses which govern the admission age to the following occupations will be found: general employment, employment in commerce, in public entertainments, in the taking of cinematograph films, in street trading and delivery work, in employment in bars and places where alcoholic beverages are sold, and in places or employments prejudicial to health, education or morals. The heading *Aids to Enforcement* relates to such matters as the keeping of registers or lists of employed children, the issue of work cards, permits to enable children under the normal age to be employed in public entertainments, licences or badges for street traders and so on; the heading only appears when provisions of this kind have been found in the laws of the country concerned.

No provisions are given which relate to enforcing authorities or penalties as it is felt that, interesting and important as these matters may be, they are not capable of international regulation.

A complete list of the texts used in this part will be found in Appendix V.

ARGENTINA

LEGISLATION

The law relating to the employment of women, young persons and children is codified by Act No. 11317 of 30 September 1924, which appears to cover all the employments considered here. The Act applies throughout the Republic.

AGE PROVISIONS

General employment. — Children under twelve years of age may not be employed on any kind of work on account of another (sec. 1); only recognised training schools are exempt from this provision (sec. 3). In principle, children of school age may not be employed unless they have completed their compulsory school attendance¹, but if over twelve and under fourteen years they may be excused if it can be shown that employment is necessary for their maintenance or that of their parents, provided that the minimum education requirements prescribed by law are complied with in a satisfactory manner (sec. 1).

Commerce. — The age is fourteen years for “public or private commercial undertakings or establishments, whether carried on for profit or philanthropic purposes”, but family undertakings are exempt from this provision (sec. 2).

Public entertainments. — A penalty is provided for causing dangerous feats of strength or dangerous acrobatic feats to be performed by young persons under eighteen years or women of any age (sec. 22). Other classes of public entertainments (i.e. employment in theatres and non-dangerous entertainments) are not specially provided for but would presumably come under the general restrictions in sec. 1.

Street trading. — Boys under fourteen years, or unmarried women under eighteen years, may not engage, either on their own account or on account of another person, in any occupation carried on in the streets or public places (sec. 4).

Bars, etc. — The sale of alcoholic beverages by boys under eighteen years old, or women of any age, is forbidden (sec. 11 (j)).

AIDS TO ENFORCEMENT

To aid enforcement all young persons under eighteen years covered by the Act are required to have work books in a special form (sec. 17) in which the employer must make the prescribed entries; employers are also obliged to send returns to the administrative authorities (sec. 18). In commercial establishments birth certificates of young persons under eighteen years must be kept on file (sec. 16).

AUSTRALIA

LEGISLATION

As employment in Australia is regulated by State laws it is necessary to consider each State separately. The employments for which minimum age limits are fixed by these laws are, for the most part, connected with public entertainments and street trading. One State prohibits the employment of children under a certain age in bars and two in work connected with racing stables. A minimum age for employment in shops is only specifically fixed in one State; but such work would probably be restricted to some extent by the compulsory school attendance laws which, in all States, require children under fourteen years old to attend school unless lawfully excused. There appear to be no provisions in any State to fix an absolute minimum age limit for general employment.

¹ School attendance is compulsory in Argentina for children six to fourteen years old.

No relevant provisions were found for Tasmania; in Victoria street trading would appear to be regulated, but the necessary documentation not being in the possession of the Office, this State had to be omitted.

New South Wales

LEGISLATION

Employment in public entertainments, street trading and begging is regulated by the Child Welfare Act, 1923.

AGE PROVISIONS

Public entertainments. — The Act provides a penalty for allowing a child under twelve years old to take part at any time in an entertainment on licensed premises, or to offer articles for sale there. But the Minister of Public Instruction may license a child over seven years to take part in an entertainment in a licensed place, or in a circus, if satisfied that adequate provision has been made to secure the child's health and kind treatment. No licence is required for an occasional charitable entertainment (sec. 42).

Dangerous public performances. — A penalty is provided for allowing a child under fourteen years to take part in a dangerous public performance and for parents or guardians abetting the offence (sec. 41).

Street trading. — A licence may be issued by the Minister of Public Instruction or by a local authority to enable a boy over twelve years to engage in street trading on conditions to protect moral and material welfare and to require a badge to be worn (sec. 48).

Queensland

LEGISLATION

The employment of children in certain non-industrial occupations is governed by the State Children Acts, 1911 to 1928; the Acts set up a Department of State Children with the necessary administrative machinery. Regulations under the Acts were approved 1 August 1929.

AGE PROVISIONS

Public entertainments. — A penalty is provided for employing a child under seventeen years old without a licence in connection with a public entertainment for the purpose of singing, playing, performing or offering articles for sale; occasional charitable entertainments are excepted (1911 Act, sec. 67 B (3), as amended 1928). When applying for such a licence the Regulations require the date of the child's birth and the nature of the performance to be stated (sec. 105), and should the child be under fourteen years a certificate of regular school attendance is required and the licence will only be issued for performances during school vacations (sec. 106). No licence will be issued to a child under seven years old (sec. 107).

Street trading. — A penalty is provided for employing a child over twelve and under fourteen years in street trading who is not duly licensed for that purpose or who, if licensed, is employed in a trade not authorised by such licence, or who is under twelve years old (1911 Act,

sec. 67, as amended 1928). The trades authorised by the Regulations are: (a) selling newspapers and certain other printed matter as therein specified, and selling matches or flowers, and (b) boot or shoe cleaning.

Employment in racing stable. — A penalty is provided for allowing a child under fourteen years old to be employed in a racing stable (1911 Act, sec. 67 B (2), as amended 1928).

AIDS TO ENFORCEMENT

As regards street trading, in addition to the licence referred to above, the Regulations direct that children so employed must wear a badge (sec. 108 (3)). A register of licensed children is kept by the State Children Department (sec. 113) and any person employing a child under fourteen in street trading is to keep a permanent written record showing the particulars prescribed by the Regulations, and this record must be produced when required to authorised officers of the Department (sec. 11). Special penalties are provided for breaches of the Regulations (sec. 117).

South Australia

LEGISLATION

Employment in street trading and public entertainments is regulated by the Children's Protection Act, 1899; the provision applies only to boys, however, and nothing has been found concerning the employment of girls in this occupation. A 1918 amendment to the Act added a provision concerning public entertainments.

AGE PROVISIONS

Public Entertainments. — The Children's Protection Act, 1899, provides that no child under the age of six years may take part in, or be employed in connection with, any public entertainment (sec. 10, A (1), 1899 Act, amended 1918) as therein defined (*id.* (3)). Occasional charitable entertainments are excepted from this provision (*id.* (4)).

Dangerous public performances. — The Act provides that any child under thirteen years old employed in any circus or acrobatic performance or exhibition dangerous to life, health or safety, may be treated as a "neglected child" (sec. 144), i.e. may be arrested by a constable without warrant and taken before the justices (sec. 32).

Street trading. — Municipal corporations may make by-laws to provide for the licensing of boys not less than thirteen years old to sell newspapers and other articles in the public streets on conditions to require the issue of a licence and the wearing of a badge (sec. 12).

Western Australia

LEGISLATION

Employment in shops and warehouses is regulated by the Factories and Shops Amendment Act 1921, which amended the Factories and Shops Act 1920 by adding the words "shops or warehouses" to the provisions relating to age of admission, which had hitherto applied to factories alone. The other occupations considered here are regulated

by the Child Welfare Act, 1907-1927 (all of Part VII and sec. 137 of Part VIII), this being a consolidation of various Acts for the protection, control and welfare of children.

AGE PROVISIONS

Shops, etc. — By the Factories and Shops Act, 1920, as amended 1921, no boy under fourteen years old and no girl under fifteen years old may be employed in a shop or warehouse (sec. 53, as amended 1921, sec. 5). By "shop" is meant retail shops and places generally where retail trade is carried on (sec. 4). There is nothing in the Act to indicate that family undertakings would be excluded from this provision.

Public entertainments. — The Child Welfare Act provides a penalty for allowing any child under sixteen years old to be in any place for the purpose of singing, playing or performing or offering articles for sale, except with the licence of the Minister charged with the administration of the Act. This provision does not apply to occasional charitable entertainments (sec. 106 (c)). There appears to be no absolute minimum age limit for children so employed with a licence.

Dangerous public performances. — Any child under fourteen years old employed in a circus or acrobatic performance or an exhibition dangerous to life, health or safety is deemed to be a "neglected child" and the employer is guilty of an offence against the Act (sec. 137). Any officer of the Child Welfare Department may apprehend a "neglected child" who may then be dealt with as directed by the Act (sec. 29).

Street trading. — A licence authorising a child over twelve years to engage in street trading may be issued by the Child Welfare Department (sec. 104 (1)); and any person employing a child not so licensed or who, if licensed, is engaged in an unauthorised trade, or a child who is under twelve years old, is guilty of an offence against the Act (sec. 105).

Work in racing stables. — A penalty is provided for allowing any child under fourteen years old to be employed in or about a racing stable (sec. 106 (c)).

AIDS TO ENFORCEMENT

To aid enforcement records must be kept in shops and must show the age of each assistant under twenty-three years old as well as the other particulars therein prescribed (sec. 129).

AUSTRIA

LEGISLATION

The employment of children is regulated by the Child Labour Act of 19 December 1918. As amended by an Act of 10 July 1928, this measure covers all forms of child employment up to the end of the school year in which the child attains the age of fourteen years. There is no regulation of the employment of young persons over this age in the employments under consideration.

In addition to limiting employment generally, the Child Labour Act has special provisions for public entertainments, street trading and work in places where intoxicating liquors are sold. The Act is completed by Regulations of 17 May 1919 concerning work books for employed children and street trading, and by Administrative instructions of 23 January 1920 concerning the enforcement of the Act. Finally, a

Decree of 20 May 1920, issued by the State Department of Social Administration under sec. 12 of the Child Labour Act completes the provisions regarding the employment of children in public entertainments, and the Actors' Act of 13 July 1922 has relevant provisions.

Age Provisions

The Child Labour Act, 1918, as amended 1928, provides that children under fourteen years old who are obliged to attend school may only be employed in accordance with the provisions of the Act (sec. 7).

General employment. — The Act provides that no child under the age of fourteen years may be regularly employed otherwise than in the light work defined in sec. 2 (1), for which the age is ten years (sec. 7). The only occupations considered here which would seem capable of coming within the provisions of this exemption are employment for the purposes of education or instruction and occasional casual work.

Public entertainments (non-dangerous). — The Child Labour Act forbids the employment of any child under fourteen years old in, or in connection with, a public entertainment, either as an actor or in any other capacity (sec. 12). But the Decree of 20 May 1920¹ permits an exemption in special cases in the interests of art, education or science, and after consultation with the child's school managers.

The Actors' Act 1922 provides that minors who have not completed 18 years (and in some cases those over this age) must obtain the consent of their parents or guardians before entering theatrical employment (sec. 3).

Public entertainments (dangerous). — The Decree of 20 May 1920 provides that no exemptions from the provisions of sec. 12 of the Child Labour Act, which prescribe a minimum age of 14 years for public entertainments, may be allowed in respect of acrobatic or dangerous feats in circuses or similar places.

Street trading. — The Regulations of 17 May 1919 concerning work books forbid the employment of children under fourteen years in street trading, or in any other occupation carried on in the streets, or in any itinerant calling (sec. 7).

Bars, etc. — The Child Labour Act forbids the employment of children under fourteen years old to sell intoxicating liquors or to serve customers in places where such liquors are sold (sec. 11). Further, Schedule I to the Act absolutely prohibits the employment of children under fourteen in breweries, bars and public houses.

AIDS TO ENFORCEMENT

To aid enforcement, all employed children must be provided with work books as prescribed by the Child Labour Act and Regulations made under it of 17 May 1919. The Act requires that any person desiring regularly to employ a strange child for remuneration must procure a work book in respect of such child from the communal authorities of the place where the child lives (sec. 2). Before issuing a work book the communal authorities must consult the child's parents or guardians and its school managers and they may require a medical examination (sec. 3 (1)). The child's school managers must be informed of the issue of a work book (sec. 5 A (2)).

¹ The Decree has no section numbers.

BELGIUM

LEGISLATION

Child employment generally is regulated in Belgium by the Employment of Women and Children Act of 28 February 1919, as amended by the Hours of Work Act of 14 June 1921, sec. 31. A Royal Order of 27 April 1927, made under sec. 4 of the 1919 Act, prescribes the age for the admission of children to employment in public entertainments and street trading.

An Act of 26 May 1888, by providing penalties for the employment of young persons under eighteen years in contortionist and other dangerous performances, in effect raises the age limit for admission to such employment.

AGE PROVISIONS

General employment. — The employment of Women and Children Act, 1919, as amended by sec. 31 of the Hours of Work Act, 1921, provides that children under the age of fourteen years shall not be employed. This provision also applies to work at home on account of an employer. It does not apply to approved technical schools under the supervision of the competent authority (sec. 3, 1919, as amended sec. 31, 1921). The prohibition contained in this section would, however, appear to extend only to the employments falling within the scope of the 1919 and 1921 Acts; in the strict sense, therefore, it would not seem to be an absolute prohibition of employment for all children under 14, though in effect the scope of these two Acts taken together is very comprehensive.

Commerce. — The above provision is specifically applied to the following commercial employments: work in the offices of commercial undertakings, in retail shops and to workers and employees, other than office employees, engaged in commercial undertakings (1921 Act, sec. 1), unless (by sec. 1, 1919 Act) only members of the same family are employed therein, provided that such undertakings are not classed (in accordance with a Decree of 15 May 1923) as dangerous, unhealthy or noxious, and that no steam boiler or mechanical power is used therein.

Public entertainments (non-dangerous). — The Royal Order of 27 April 1927 relating to the employment of children in theatres, etc., prohibits the employment of children under 16 years of age in theatrical undertakings, music halls, dancing halls, night clubs and the like (sec. 2). Nor may children under the age of sixteen years be employed to sell or offer for sale any articles whatever in the undertakings specified in the above section carried on in establishments open to the public (sec. 3).

In special cases exemptions from the provisions of sec. 2 may be authorised for theatrical undertakings on application to the Minister of Industry, Labour and Social Welfare or his representative (sec. 2).

The conditions upon which permits for such employment are given are as follows:

- (a) The entertainment must be a theatrical one; music halls, night clubs, etc., are excluded;
- (b) The presence of young actors must be essential for the performance of the piece;
- (c) There must be no question concerning the morality of the scenes in which the young actor is called upon to take part or to witness¹.

¹ The permit takes the form of an authorisation for a specified theatrical entertainment to enable the director of the establishment to employ a given

Public entertainments (dangerous). — An Act of 26 May 1888 provides special penalties for parents or others employing young persons under eighteen years old in contortionist and other like dangerous performances which may injure the health of such young persons (sec. 1). Penalties are also provided for persons, other than the father or mother of the young person, following the calling of acrobat, tamer of wild animals, circus manager and the like, employing young persons under 18 years old without the consent of their parents, or children under fourteen years old with the consent of their parents, or for parents employing their own children under fourteen years old (sec. 2). Penalties are further provided for parents or guardians who hand over their children or wards under eighteen years old to persons carrying on the callings specified in the second section, and for the persons to whom such children are handed over (sec. 3).

Street trading. — The Royal Order of 27 April 1927 relating to theatres, etc., in addition to prohibiting the employment of children under the age of sixteen years to sell or offer for sale articles in theatres, etc., also prohibits such employment in the streets (sec. 3).

Bars, etc. — The provisions given above for general employment are specifically applied to work in hotels and public houses, unless only members of the occupier's family are employed therein¹ (sec. 1, 1921 Act).

AIDS TO ENFORCEMENT

To aid enforcement, all children or young persons up to sixteen years old, and all women up to twenty-one years old, are required to have work books in an approved model and containing the entries specified in the Act, and a register of entries in the work books must be kept by the employer (sec. 16). Notices containing the prescribed extracts from the law must be posted (sec. 17).

BOLIVIA

LEGISLATION

The employment of young persons in the occupations to which it relates is governed by a Supreme Decree of 21 September 1929 concerning the protection of women and children in industry, and Regulations (published February 1930) made under it. Though primarily intended for the regulation of industrial work the Decree and Regulations have certain provisions which would concern the non-industrial occupations dealt with here.

AGE PROVISIONS

Commerce. — Age is not definitely regulated, but the General Health Directorate may order the medical examination of "minors"² (not

number of children during the period named. There are no conditions to prescribe an absolute minimum age, nor any relating to hours, night work, etc.

¹ The Office is informed that the question of raising the age from fourteen to sixteen years is being considered by the Superior Labour Council.

² "Minors" as used in the Decree and Regulations usually relates to young persons under sixteen years old. The expression "under age" is not defined, but is believed to relate to persons under twenty-one years old.

defined) in commercial undertakings and the withdrawal of those whose health is found to be suffering from the work on which they are engaged (Suprême Decree, sec. 3).

Public entertainments. — The Regulations forbid the employment of young persons under sixteen years old on work connected with theatres or public entertainments (sec. 16).

Bars. — The Supreme Decree forbids the employment of young persons under sixteen years old as waiters in places where intoxicating liquors are sold (sec. 2). The Regulations provide that women "under age" (not defined) may not be employed in places where alcoholic beverages are sold retail for consumption on the premises (sec. 16).

Work prejudicial to health, education or morals. — The Supreme Decree forbids the employment of young persons under sixteen years old in work prejudicial to health, education or morals (sec. 2). Further, the Regulations provide that young persons under 16 years and women "under age" (not defined) may not be employed in places where the work might prejudice the morals of such young persons, even though the employment itself be not unlawful (sec. 16).

BRAZIL

LEGISLATION

Child employment generally is regulated by a Decree No. 17943 A of 12 October 1927 (known as the "Minors' Code") which consolidates the Acts for the protection of children and young persons. All the employments under consideration appear to be covered; employment in commerce and in places where alcoholic liquors are sold are not mentioned as such, but both would seem to come within the general limit of twelve years prescribed by sec. 101.

AGE PROVISIONS

General employment. — The employment of children under twelve years old is prohibited throughout the Republic (sec. 101).

Children under fourteen years old may not be employed unless they have completed their primary school course¹, but the competent authority may exempt children over twelve and under fourteen years from this provision should employment be necessary for their maintenance or that of their parents, provided that such education as is possible be given (sec. 102). Young persons under eighteen years old must have a certificate of physical fitness before being admitted to employment (sec. 112).

Public entertainments. — Penalties are provided for the employment of boys under sixteen years and girls under eighteen years as actors or in walking-on parts or in any other capacity in public performances in theatres or other places of amusement, or for the employment of such young persons on any work in theatres or similar establishments, including the sale of articles (sec. 111). But the competent authority may authorise the employment of one or more young persons in a theatre for the performance of a specified play on safeguarding conditions

¹ School attendance would appear to be compulsory in certain cities, but not in any State as a whole except Sao Paulo.

regarding hours, health and morals and with the consent of a parent or guardian (sec. 111 (1)).

Young persons who have not attained their majority may not be employed in café-concerts or cabarets (sec. 111 (2)).

Penalties are provided for any person who causes feats of strength or dangerous acrobatic feats to be performed by young persons under sixteen years old, and for any person (other than the father or mother) carrying on the occupation of acrobat, mountebank, gymnast, exhibitor of animals, circus performer or any similar occupation who employs in his performances young persons under sixteen years. A penalty is also provided for a father or mother in any of the above-mentioned occupations employing his or her child under twelve years old, and in addition such person is to be deprived of the control of children (sec. 113).

Cinematograph studios. — Young persons under eighteen years may only be employed in studios for the preparation of cinematograph films if certain conditions are fulfilled. These include consent of parents or guardians and safeguards concerning health, night-work and morals and the obtaining of a permit from the competent authorities; in the case of children under three years old the permit will only be given if the work is necessary in the interests of art or science and after such special measures as may be necessary have been taken to secure the health and safety of the child (sec. 128).

Street trading. — Boys under fourteen years and unmarried girls under eighteen years may not engage in any occupation carried on in the streets or open spaces. Young persons over fourteen years and under eighteen years must have a permit from the competent authority which they must carry with them when so engaged, and they must also wear a badge in a conspicuous position giving the number of the permit (sec. 112).

Occupations dangerous to morality. — A penalty is provided for the employment of young persons under eighteen years old in the preparation, sale or delivery of written or printed matter or objects contrary to the penal laws, or, if not contrary to the penal laws, which is likely to injure the morals of such young persons (sec. 116).

AIDS TO ENFORCEMENT

To aid enforcement, employers of young persons under eighteen years old are required to post the relevant provisions of the law in workplaces (sec. 119). Lists of employed young persons must be submitted to the enforcing authorities every three months (sec. 121).

A work book in the prescribed form must be furnished to the parents of every employed minor by the employer (sec. 122), and a register must be kept showing the particulars in the work books (sec. 123).

BULGARIA

LEGISLATION

The relevant provisions are found in the Health and Safety of Workers Act No. 25, of 18 April 1917. They relate to employment in commercial undertakings (not defined) with a special provision for variety entertainments, bars and institutions. There are no provisions for street trading as such, nor for public entertainments apart from variety entertainments.

AGE PROVISIONS

Commerce. — Children under twelve years old, or under fourteen years should elementary education not be completed¹, may not be employed in commercial undertakings². This would not seem to apply to family undertakings where the work is not dangerous or unhealthy (sec. 1).

Public entertainments. — Young persons under eighteen years old may not be employed in variety entertainments (sec. 15). There are no provisions in the Act for other classes of entertainments.

Bars, etc. — Young persons under eighteen years may not be employed in hotels or beer houses (sec. 15).

Institutions, etc. — Young persons under eighteen years old may not be employed in hospitals, sanatoria and baths (sec. 15).

AIDS TO ENFORCEMENT

To aid enforcement, young persons under 18 years old are required to have work books in a form approved by the competent Minister. These books must give particulars of the name, date of birth and education of the young worker and must also contain a health certificate³ (sec. 17).

CANADA

As employment in Canada is governed by Provincial legislation it is necessary to deal separately with each Province.

Alberta

LEGISLATION

Employment in shops, offices and office buildings is regulated by the Factories Act; general employment during school hours is regulated by the School Attendance Act, while employment in public entertainments and street trading is regulated by the Children's Protection Act (of 1922) pending the proclamation of the Child Welfare Act (of 1925). The Billiard Room Act has a provision to regulate the employment of minors in billiard rooms.

AGE PROVISIONS

General employment. — The School Attendance Act provides a penalty for any person employing a child under fifteen years during school hours who has not been lawfully excused from school attendance (sec. 6 (1)).

¹ School attendance is compulsory from seven to fourteen years, the school year lasting from 15 September to 12 July, or 15 June in country districts.

² Not defined.

³ By the Social Insurance Act, 1924, this work book is now replaced by an insurance book.

Shops, offices, etc. — The Factories Act forbids the employment of a child under fifteen years in a shop, office, office building or warehouse (sec. 20 (1)).

Hotels, etc. — As “shop” includes hotels and restaurants (sec. 2 (n)) the minimum age for admission to employment in such places is fifteen years (sec. 20 (1)).

Public entertainments. — The Children’s Protection Act (subject to the provisions, referred to below, concerning licences), provides a penalty for any person causing a child¹ to be at any time in any circus or other place of public amusement to which the public are admitted by payment for the purpose of singing, playing or performing for profit or offering anything for sale (sec. 28 (1) (d)); but when it can be shown that proper provision has been made to secure the health and kind treatment of a child employed in a public performance local authorities may grant a licence to enable a child over ten years to take part in such a performance for not more than seven hours in twenty-four, provided they are satisfied of the child’s fitness for that purpose (sec. 28 (2)).

Street trading, etc. — A penalty is provided for causing a child (i.e. a boy or girl actually or apparently under the age of eighteen years — sec. 2 (a)) to be in any public place for the purpose of singing, playing, performing or offering anything for sale (sec. 28 (1) (b)). Further, municipal councils are empowered to make by-laws to control the licensing of children engaged as messengers, vendors of newspapers and small wares and as bootblacks (sec. 17 (1)). No such licences may be granted to any girl (under eighteen years) or to any boy under twelve years, or to any boy under fourteen years without a written authority from a parent or guardian (sec. 17 (2)).

Billiard rooms. — The Billiard Room Act forbids the employment of a person under eighteen years old in or about a billiard room (sec. 12).

AIDS TO ENFORCEMENT

Shops, etc. — To aid enforcement every employer of persons in a shop, office or office building is required to keep a register in the prescribed form² of employees and to send such extracts to the inspector as may be required (sec. 9). Further approved notices must be posted in all places to which the Act applies (sec. 18).

British Columbia

LEGISLATION

The Shops Regulation Act has a provision to fix the age of admission to employment in bakers’ shops but not to other classes of establishments. Employment in billiard rooms is regulated by the Pool-rooms Act and may be further regulated by the Municipal Act.

AGE PROVISIONS

Bake shops. — The Shops Regulation Act provides that no person under the age of fourteen years may be employed in any bake shop (sec. 39).

¹ Sec. 2 (a) of the Act defines “child” as any boy or girl actually or apparently under the age of eighteen years.

² The form does not require the age of employees to be shown.

Billiard rooms. — The Pool-rooms Act provides that no youth (under eighteen years) shall be employed in the places (i.e. billiard rooms and the like) to which the Act applies (sec. 11), while the Municipal Act enables municipalities to regulate and forbid the presence of girls and boys of less than eighteen years old in billiard rooms and the like (sec. 122).

Manitoba

LEGISLATION

The employment of children in shops and offices is governed by an Act which amends the Shops Regulation Act. Employment in public entertainments and street trading is regulated by the Child Welfare Act (1924), as amended in 1928 (as regards enforcing authorities) and 1929 (as regards permit for circus and other performances). Employment in bars, etc., is regulated by the Government Liquor Control Act.

AGE PROVISIONS

Shops and offices. — No child (under fourteen years) may be employed in any shop (sec. 20 (1)), but a boy between thirteen and fourteen years may be employed in or about a shop on any school day for not more than two hours and on any other day for not more than eight hours; such a boy if legally exempt from school attendance, and on production of the necessary certificates, may be regularly employed subject to restrictions regarding hours (sec. 20 (2)). These provisions also apply to offices (sec. 39). Family undertakings are exempt (sec. 27).

Public entertainments. — A penalty is provided by the Child Welfare Act for causing a child under eighteen years to be in any public place for the purpose of singing, playing or performing for profit or offering anything for sale (sec. 176 (b) as amended 1929), or unless a permit has first been obtained, for causing any such child to be in any circus or other place of amusement to which the public are admitted by payment for a like purpose (*id.* (d)). Such a permit may be granted in respect of a child over ten years old who is physically fit by the Director of Child Welfare provided proper arrangements are made to secure the health and kind treatment of the child (sec. 177, as amended 1929).

Street trading. — The Act provides for the apprehension by the police of any child under the age of twelve years found peddling or selling newspapers or other articles, or distributing advertising matter for profit, in any street or public place (sec. 29 (g)) or who, if under the age of fourteen years, habitually hawks or peddles or sells articles in the streets or public places during school hours (sec. 29 (1)).

Power is given to municipal authorities to pass by-laws to regulate, control and licence children (under eighteen years) engaged as messengers, vendors of newspapers or small wares, bootblacks and pin-boys in bowling alleys (sec. 168 (1)). No such licence may be granted to a girl under eighteen years or to a boy under twelve years, nor to a boy under fourteen years without the written authorisation of a parent or guardian (sec. 168 (3)).

Bars, etc. — The Government Liquor Control Act prohibits the employment of any person under twenty-one years to act in any way in connection with the sale, handling or serving of beer in any beer parlour (sec. 82).

AIDS TO ENFORCEMENT

Shops, etc. — To aid enforcement, persons under sixteen years old employed in shops must be provided with birth certificates which must be kept on file (sec. 20 A). Employers are required to exhibit notices in shops referring to the relevant provisions of the Act (sec. 25).

New Brunswick

LEGISLATION

The Children's Protection Act has provisions concerning employment in bars, etc.; the Act also has an enabling provision relating to street trading. The Compulsory Attendance at School Act contains provisions to regulate general employment during school hours and employment in mercantile establishments at any time.

There appear to be no provisions relating to employment in public entertainments.

AGE PROVISIONS

General employment. — The Compulsory Attendance at School Act provides that no child under sixteen years old shall be employed in any city or town to labour in any business whatever during school hours unless such child has received the minimum education as therein provided, and has the requisite certificates, or unless the child has passed a satisfactory examination in Grade 7 (sec. 31 (1)).

Commerce. — The Act further provides that no child under thirteen years old shall be employed in any mercantile establishment¹ (sec. 31 (2)).

Street trading. — The Children's Protection Act provides that the Commissioner (i.e. a juvenile court judge, appointed as provided for by sec. 5) may make regulations as required concerning the conditions under which boys or girls² may engage in street trades or occupations, subject to the approval of the municipality (sec. 51).

Bars, etc. — The Act also provides for the apprehension by any police officer or agent of a children's aid society of any child (under sixteen years) who is employed in any brewery, or in any shop, saloon, tavern or other place where intoxicating liquors are made, bottled or sold (sec. 10 (i)).

Nova Scotia

LEGISLATION

The Children's Protection Act, as amended 1930, has provisions relating to bars, etc., and by-laws for street trading. General employment and street trading during school hours are covered by the Education Act. There appear to be no provisions relating to employment in public entertainments, or general employment out of school hours.

¹ The term is not defined.

² The ages are not given, but "child" as used in the Act means boys or girls actually or apparently under sixteen years old (sec. 5).

AGE PROVISIONS

General employment. — The Education Act provides that no child under sixteen be permitted to labour during school hours in any business whatever, or in street trading, unless such child has been excused from school attendance in the manner provided for by the Act and has the necessary certificates (sec. 135 (1)). Such exemption is given to any child over twelve years old who has passed a satisfactory examination in Grade 7, or who is over thirteen years and is required by necessity to work (sec. 120 (2)).

Street trading. — This is primarily dealt with only by the Education Act (see above). But a 1930 amendment to the Children's Protection Act enables the councils of cities and incorporated towns to pass by-laws or ordinances for the regulation and control of young persons under sixteen years old engaged as express or despatch messengers, and vendors of newspapers or small wares.

Such ordinances or by-laws must be approved by the Lieutenant-Governor in Council before having the force of law¹.

Bars, etc. — The Children's Protection Act provides that the agent of a children's aid society, or any police officer, may take into custody any child (under sixteen years) employed in any brewery, or any shop, saloon, tavern or other place where intoxicating liquors are made, bottled or sold (sec. 22(i)).

Ontario

LEGISLATION

The age of admission to employment in shops is regulated by the Factory, Shop and Office Building Act. General employment during school hours is regulated by the School Attendance Act, while employment in public entertainments and street trading are regulated by the Children's Protection Act. The Municipal Act enables by-laws to be made to regulate street trading. There appear to be no provisions to regulate general employment out of school hours.

AGE PROVISIONS

General employment. — The School Attendance Act provides that no child under fourteen years old shall be employed during school hours (sec. 5 (1)).

Shops. — The Factory, Shop and Office Building Act² forbids the employment of any person under fourteen years old in a shop, other than a family undertaking (sec. 26). The definition of "shop" excludes hotels and taverns (sec. 1 (d)).

Public entertainments. — The Children's Protection Act provides a penalty for any person (subject to the clause concerning licences) who causes a child (under sixteen years) to be in any public place for the purpose of singing, playing or performing for profit, or offering anything for sale in any circus, theatre, or other place of public amusement to which the public are admitted by payment (sec. 16 (1) (c)). But provision is made to enable a child over ten years, who is physically fit, to

¹ *Labour Gazette*, Ottawa, Aug. 1930. Text of Act not available at time of writing.

² There are no age provisions in the Act relative to offices or office buildings.

take part in performances to which the public are admitted by payment subject to a licence being obtained from the head of a municipality, and provided arrangements are made to secure the health and kind treatment of the child (sec. 16 (2)).

Street trading. — The Children's Protection Act provides that no girl under sixteen years and no boy under twelve years shall engage, or be permitted to engage, in any street trade or occupation (sec. 14 (1)).

The Municipal Act enables by-laws to be passed in cities to regulate and control children engaged as express messengers, vendors of newspapers and small wares and boothblacks (sec. 431 (2)).

AIDS TO ENFORCEMENT

To aid enforcement, registers of children, youths (under sixteen years) and girls and women of any age employed in shops must be kept in the form prescribed (sec. 12) and notices, as required, must be posted (sec. 24).

Quebec

LEGISLATION

There appear to be no minimum age restrictions upon employment other than those contained in the Industrial Establishments Act which require a specified standard of education to be reached before a child may be employed. The Cities and Towns Act has enabling provisions relating to street trading.

AGE PROVISIONS

Commerce, public entertainments, bars, etc. — The Industrial Establishments Act forbids any employer carrying on any trade or business, or practising a profession, or who is owner or tenant or manager of a theatre, moving picture hall, hotel or restaurant, or of any telegraph company employing messengers, or in the case of printers or agents who distribute advertisements or handbills or for owners of department stores who employ boys or girls as messengers, to employ any boy or girl under sixteen years old who is unable to read and write fluently and easily (sec. 8).

Street trading. — It is likewise forbidden for any boy or girl less than sixteen years of age to sell papers or carry on any business in the streets or public places unless able to read and write fluently and easily (sec. 9).

Further, the Cities and Towns Act enables councils to make by-laws to allow on certain conditions, to regulate or prevent the employment of minors in the streets and public places, and to grant licences to, and regulate, newspaper carriers ¹ (sec. 428 (9 and 10)).

Saskatchewan

LEGISLATION

General employment during school hours is regulated by the School Attendance Act; there appears to be no provision to regulate such

¹ The Office is informed that the City of Montreal, and possibly others, has made by-laws under this provision. The minimum age for Montreal is ten years for street occupations, and no girl may be so employed.

employment at other times. The Child Welfare Act regulated employment in public entertainments, while the City Act and the Town Act enable by-laws to be made in respect of street trading.

AGE PROVISIONS

General employment. — The School Attendance Act provides that no child under fifteen years old who has not been lawfully excused may be employed during school hours (sec. 6).

Public entertainments. — The Child Welfare Act (subject to the provision concerning licences) provides a penalty for any person who causes a child (under sixteen years) to be at any time in any circus or other place of amusement to which the public are admitted by payment for the purpose of singing, playing or performing for profit or offering anything for sale (sec. 51 (1) (c)); but the competent authorities may grant a licence in respect of any child¹ who is physically fit to take part in any entertainment as aforesaid, subject to conditions to secure health and kind treatment and for not exceeding seven hours in twenty-four (sec. 51 (2)).

Street trading. — The City Act enables councils to pass by-laws to regulate, control and license children (age not specified) engaged as express or despatch messengers, vendors of newspapers and small wares and bootblacks. No licence may be granted to any female child (age not specified) of any age, or to any boy under twelve years, or to any boy over twelve years and under fourteen years without the written authority of a parent or guardian (sec. 219 (1) and (3)). A like provision is found in sec. 209 of the Town Act.

Yukon

LEGISLATION

The Sale of Beer Ordinance has a provision concerning the employment of young persons in bars, etc.

AGE PROVISIONS

Bars, etc. — No male person under twenty-one years and no woman of any age may be allowed to dispose of beer in any licensed premises (sec. 37).

CHILE

LEGISLATION

The relevant provisions are found in the Contract of Employment Act, No. 4053 of 8 September 1924, the Salaried Employees Act, No. 85, approved by Decree of 11 November 1925, the Act, No. 4447, for the protection of minors of 18 October 1928 and the Regulations, No. 2531, made under it of 24 December 1928. The first specially excludes commerce, which is covered by the second, but it has provisions relating

¹ No absolute minimum age limit is specified for children employed under licence.

to employment generally and to non-dangerous public performances. Dangerous performances are regulated by the 1928 Act which, in addition, contains provisions relating to work in bars and in places where the morals of young persons might be endangered.

AGE PROVISIONS

General employment. — The 1924 Act provides that children under fourteen years of age may not be employed in any kind of work; but those over twelve years and under fourteen, who have completed their school attendance¹ may be employed in certain kinds of work specified by regulation² (sec. 29).

Public entertainments. — The Act provides that children under fourteen years may not be employed in public performances in theatres, circuses, café-concerts or other places of amusement. By way of exception permission may be granted by Governors of Departments for the employment of one or more children in theatres for the performance of particular plays (sec. 34); no absolute minimum age limit is fixed for such cases.

Commerce. — This is regulated by the Salaried Employees Act, 1925, which forbids the employment of children under fourteen years in work to which it applies (i.e. work in which the mental effort predominates over the physical, sec. 2) unless their school attendance has been completed (sec. 24).

Dangerous performances. — The 1928 Act provides a penalty for managers or proprietors of places of amusement who employ persons under sixteen years old in acrobatic or similar performances for the purposes of gain (sec. 31).

Bars, etc. — The Act also provides a penalty for the employment of young persons under twenty-one years old in places where intoxicating liquors are sold (sec. 31).

Places prejudicial to morals. — A penalty is provided for employing young persons under twenty-one years in houses of ill-fame or gambling houses (sec. 31).

AIDS TO ENFORCEMENT

To aid enforcement employers are required to issue a work book in a prescribed form to the parents or guardians of young persons under eighteen years (sec. 36).

The 1925 Act has no special provisions relating to enforcement.

COLOMBIA

LEGISLATION

The only relevant legislation appears to be an Act No. 48 respecting child welfare of 29 November 1924 and an Act No. 56 respecting education of 10 November 1927; the employment provisions of these Acts are, however, not very complete.

¹ School attendance is compulsory for children seven to fourteen years old by an Act of 29 November 1929.

² No regulations appear to have been issued under this provision.

AGE PROVISIONS

General. — The Education Act of 1927 provides that parents and guardians may not permit children under fourteen years old to be employed by third persons unless the child is over eleven years old and has completed his primary education (sec. 7).

CZECHOSLOVAKIA

LEGISLATION

The age of admission to the employments considered here is governed by the provisions of the Eight Hour Day Act of 19 December 1918 which sets an absolute limit of fourteen years for any regular or lucrative employment (*Gewerbe*). A subsidiary control over the employment of children is exercised by the Child Labour Act of 17 June 1919, which also makes special mention of places where intoxicants are sold and employment in public entertainments.

AGE PROVISIONS

General employment. — The Eight Hour Day Act, 1918, forbids the employment of children in any regular or lucrative work before they are fourteen years old and have completed their school attendance (sec. 10). Boys up to sixteen years and girls up to eighteen years may only be employed in work which is not injurious to health and which does not check physical development (sec. 11 (1)).

The Child Labour Act, 1919, defines "child labour" to mean any work for which remuneration is paid or which is carried on regularly, even though not specially remunerated (sec. 2); the Act forbids the employment of a child under twelve (sec. 4), but exempts the employment of children for purposes of instruction or education, or in casual work (sec. 2). There would thus appear to be no exemption for employment in family undertakings except in so far as such work is capable of being considered to be employment for the purpose of instruction or education.

Public entertainments. — The Child Labour Act, 1919, while forbidding the employment of children (under fourteen years) in connection with public entertainments and shows, allows the district school authority, in the special interests of instruction, education, art or science, to grant an exemption in individual cases after consultation with the school managers (sec. 8).

Commerce and street trading. — These occupations are not referred to; the Office is informed that the restrictions upon general employment would apply to them without special mention.

Bars, etc. — The Child Labour Act specially forbids the employment of children (under fourteen years) in certain scheduled workplaces; these include places where alcoholic beverages are sold retail, distilleries, beer, wine and other cellars, and breweries (sec. 7, schedule I). Nor may such children be employed in hotels and public houses to serve drink to customers (sec. 8).

AIDS TO ENFORCEMENT

To aid enforcement persons employing strange children (under fourteen years) are required to notify the communal authorities, to

procure a work card ¹ in the manner provided for by the Act and to keep a register (sec. 11). A medical examination may be ordered by the communal authorities if this seems to be necessary (sec. 12).

DENMARK

LEGISLATION

The occupations considered here come within the scope of the Employment of Children and Young Persons Act, No. 145, dated 18 April 1925. The Act covers employment generally, whether industrial or otherwise; the only exceptions relate to agriculture, fishing and some few employments with which this report is not concerned. It would appear from information furnished to the Office by the Ministry of Social Affairs that non-industrial work previous to 1925 was chiefly regulated by communal by-laws, but that by including such occupations within its scope the Act has greatly reduced the need for local regulations.

AGE PROVISIONS

General employment. — The Act provides that children who have not attained the age of fourteen years, and who are not legally exempt from school attendance, may not be employed in undertakings carried on for gain (sec. 1).

This provision does not apply to undertakings in which only immediate relatives of the child or young person are employed, unless the child works as an apprentice; nor does it apply to persons going on errands ², unless provision is made to the contrary by by-laws; nor to work done by children or young persons in trade schools or apprentice workshops—provided that these be approved and supervised by the public authority and not carried on for gain (sec. 12).

As regards conditions for such employment, it is provided that before an employer engages a young person under eighteen years old for any work upon which age restrictions are imposed by the Act, he is to verify the age of the person by means of a birth certificate, and to ascertain, through a medical examination by a qualified practitioner ³, made not more than four weeks after engagement, that the physical development and health of the young person are not such as to constitute a hindrance to his employment in the work he is expected to perform. This examination is paid for by the employer (sec. 9).

Delivery work. — As regards the exemption from the provisions of the 1925 Act of "persons going on errands", the Ministry informs the Office that this applies to persons engaged exclusively to carry goods or messages from one place to another and having no other duty (such as collecting money, or loading or unloading goods) to perform.

In *Copenhagen* by-laws have been made under this provision dated

¹ The Office is informed that the work card system, originally intended to apply to children under fourteen years old, whose employment is now illegal, is a dead letter and has never actually been applied. For this reason the provisions are only referred to very briefly here.

² See below, *Delivery work*, for a definition of this.

³ The Ministry of Social Affairs informs the Office that any doctor may perform the examination, but that in practice it is usually made either by the medical officer of an insurance fund or by a doctor chosen by the employer.

1 August 1928 which restrict the work of persons going on errands to children over 12 and impose the following conditions:

- (a) The work is to be limited to four hours daily, there is to be no night work (as therein defined), or work during school hours, or hours devoted to religious instruction, or on church holidays;
- (b) There must be no overstrain as regards loads to be carried and these may not exceed 8 kilograms;
- (c) The delivery of milk is restricted to single-shop undertakings;
- (d) No money may be collected unless a receipt accompanies the goods delivered.

This age limit does not apply to regular messenger undertakings for which (in Copenhagen) the age is fourteen years.

Public entertainments, street trading, etc. — The Office is informed that these are within the scope of sec. 1, though not specially mentioned.

AIDS TO ENFORCEMENT

To aid enforcement a register is required to be kept of all persons under eighteen employed in workplaces (not family undertakings) covered by the Act showing the name, address, and age of the person concerned according to the birth certificate, which is to be attached. As regards young persons (not children of the employer) employed in bakeries, pastrycooks' shops and confectioners' establishments and in bread factories, a work book in the prescribed form must be made out and the medical certificate required by sec. 9 must be attached (sec. 8).

ENGLAND AND WALES¹

LEGISLATION

The employment of children under fourteen years old in occupations not carried on in factories, mines, etc., and of young persons under sixteen in street trading, was for the first time brought under general regulation by the Employment of Children Act, 1903. The Act gave local authorities (that is to say boroughs with a population of over 10,000, urban districts with a population of over 20,000, and elsewhere the counties), power to make by-laws, subject to confirmation by the Secretary of State, prohibiting the employment of children in specified occupations and regulating employment either generally or in specified occupations, and regulating street trading by persons under sixteen². The law was consolidated in the Education Act of 1921, and it is now contained in

¹ There is very little difference between the law in force in England and Wales and that in force in Northern Ireland. Scottish law as to the employment of school children differs from that in force in England, e.g. in Scotland there is nothing to prevent a child of any age from being employed out of school hours in any occupation unless a minimum age is prescribed either by by-law or by any statute relating to the specific employment; the age of prohibition for street trading in Scotland is seventeen and as regards employment in public entertainments the minimum age for licensing is ten years.

² HOME OFFICE: *Report on the Work of the Children's Branch*, April 1923. London, H.M. Stationery Office, 1923.

Part VIII of that Act (secs. 90 to 108). By-laws under this Part are still subject to confirmation by the Secretary of State¹.

The occupations covered by the Education Act, 1921 (in addition to the general prohibition in sec. 92 (1) applicable to children under twelve) are as follows: general employment, such as the delivery of milk, newspapers, goods or parcels, and in or in connection with a shop, domestic work, industrial work at home, etc.; occupations carried on in streets and public places (i.e. street trading, singing or performing); those connected with public entertainments (performing on the stage, or wor koff thest age to sell articles); training as an acrobat, etc.; weight lifting and occupations prejudicial to health or education. Special provisions are still in force in certain other Acts relating to dangerous public performances and exclusion from bars; while restrictions are also placed on taking a child or young person abroad for the purpose of a public performance.

AGE PROVISIONS

General employment. — The Education Act, 1921, forbids the employment of a child under twelve² except in so far as a local authority may by by-law allow limited employment of children by their parents as specified in the Act (sec. 92 (1)).

A local authority may make by-laws to prescribe in respect of children under fourteen the age below which the employment of children under fourteen is illegal (sec. 90 (i) (a)), or may prohibit, or allow on conditions, the employment of children under fourteen in any specified occupation (sec. 90 (ii)).

A local authority may prohibit³ the employment of an individual child under fourteen years old on work which can be shown to be prejudicial to the child's health or education (sec. 94 (1)).

The employment of a child under fourteen in such a manner as to prevent him from attending school, or of a young person under eighteen in such a manner as to prevent him from attending a continuation school, is forbidden (sec. 95 (a) and (c)).

The employment of a child under fourteen in lifting or moving weights, or engaging in employment prejudicial to life, health or education, is forbidden (sec. 92 (2)).

Public entertainments (non-dangerous). — The provisions of the Act and by-laws which apply to employment generally apply to employment in places of public entertainment, but a special penalty is provided under sec. 100 (1) (b) for causing a child under twelve to be at any time in any premises licensed for public entertainments, or in any circus or other place of public amusement for the purpose of singing, playing or performing or offering articles for sale (except for charitable entertainments as specified in the Act, sec. 100 (1) (i)).

¹ *Ibid.*

² A few local authorities in England and Wales have by by-law raised from twelve to thirteen the age below which the employment of children in *any* occupation is prohibited.

³ Nearly all local authorities in England and Wales have by by-law prohibited employment under the age of fourteen in certain occupations where the conditions are believed to be specially harmful to children, e.g. employment in barbers' shops, in sale of intoxicating liquor, in selling programmes or other articles, in taking tickets in places of entertainment, in billiard rooms, slaughter houses, etc.

A local authority may license the employment of a child twelve to fourteen years old to take part in a public entertainment at any time in a place licensed for that purpose if satisfied regarding the fitness of the child and on conditions to secure health and kind treatment¹ (sec. 101 (1)).

A special penalty is also provided for causing a child under twelve to be at any time in any street for the purpose of singing, playing, performing, or being exhibited for profit, or offering anything for sale (sec. 100 (1) (b)).

Public entertainments (dangerous). — As regards dangerous public performances, the Act provides a special penalty for causing a child or young person under sixteen years old to be trained in any place as an acrobat, contortionist, or circus performer, or for any exhibition or performance which is by its nature dangerous (sec. 100 (1) (c)). But a petty sessional court may license a child or young person twelve to sixteen years old to be trained for such performance if satisfied of the fitness of the child or young person for that purpose, and on conditions to secure health and kind treatment (sec. 102 (1)).

The Children's Dangerous Performances Act, 1879, amended in respect of age by sec. 1 of the Dangerous Performances Act, 1897, provides a penalty for any person who causes a boy under the age of sixteen years, or a girl under the age of eighteen years, to take part in any public performance which, in the opinion of a court of summary jurisdiction, is dangerous to life or limb, and a parent or guardian aiding or abetting the same is also liable to a penalty (sec. 3).

Public performances taking place abroad. — The taking of children or young persons abroad for the purpose of a public performance is regulated by the Children (Employment Abroad) Acts, 1913 and 1930. The Act of 1913 absolutely prohibits children under fourteen being sent abroad for the purpose of singing, playing or performing or being exhibited for profit (sec. 1), and provides that no young person between fourteen and sixteen shall be sent abroad for this purpose without a licence granted by a magistrate of the Bow Street Police Court. The Act of 1930 substitutes "eighteen" for "sixteen".

Street trading. — The employment of a child under fourteen is prohibited in street trading by the Education Act, 1921 (sec. 92 (2) (a)).

A local authority may by by-law: (a) prohibit street trading by young persons under sixteen, except subject to such conditions as to age, sex or otherwise as may be specified in the by-law², and (b) regulate the conditions of such street trading (sec. 91).

Bars, etc. — The Children Act, 1908, prohibits the entry of a child (i.e. a person under fourteen years, sec. 131) into a bar except during closing hours (secs. 120 (1)).

¹ The effect of these two sections is that a child of between twelve and thirteen years may take part in any entertainment in premises licensed for public entertainments, etc., *without a licence* between 6 a.m. and 8 p.m. (school days after close of school up to 8 p.m.—see sec. 92 (1)), or alternatively up to such earlier evening hour as may be fixed for employment generally by by-law of the local authority; but if a licence is held the child may perform during such hours as are laid down by the local authority.

² The British Home Office informs the Office that the great majority of local authorities have prohibited street trading by girls under sixteen, and about 70 per cent. of them have raised the age limit for boys from fourteen to fifteen years.

AIDS TO ENFORCEMENT

These include licences to enable a child under the prescribed age limits to be employed at night in a public entertainment, or to be trained as an acrobat or for any dangerous performance or to be taken abroad for the purpose of a public performance. Further, local authorities may require juvenile street traders to be licensed and to wear a badge while so employed.

ESTONIA

LEGISLATION ¹

Relevant provisions are found in an Act of 7 May¹ 1920 concerning public primary schools, in an Act of 10 May 1927 concerning the sale of spirits and alcoholic beverages, and in the Tallin Municipal By-laws of 22 April 1925.

AGE PROVISIONS

General employment. — The School Act of 1920 forbids the employment for remuneration of children who are obliged to attend school².

Street trading. — The Tallin Municipal By-laws of 22 April 1925, sec. 4, provide that persons selling newspapers in the streets must be at least thirteen years old.

Bars, etc. — By the Act of 10 May 1927 no person under twenty years old may be employed in places where alcoholic drink is sold (sec. 5). These places include restaurants, institutions, societies, clubs, etc. (sec. 5).

FINLAND

LEGISLATION

The Commercial Assistants Act of 24 October 1919 applies to work in commercial establishments as therein defined; it contains no provisions which seem applicable to work in public entertainments, street trading and employment in places where alcoholic beverages are sold. An Act of 31 July 1929, which otherwise applies only to industry, restricts the age of admission to bath establishments.

AGE PROVISIONS

Commerce. — The employment of a child under fourteen years old is forbidden in any establishment to which the Act applies (sec. 4), i.e. shops and commercial establishments, offices, warehouses and annexes thereof (sec. 1). There is no exception for family undertakings.

Baths. — The Act of 31 July 1929 forbids the employment of children under fourteen in bath establishments (sec. 2).

¹ Communicated by the Minister of Labour and Social Welfare, Tallin.

² The age for compulsory school attendance in Estonia appears to be seven to fourteen years.

AIDS TO ENFORCEMENT

To aid enforcement, all persons under eighteen years must have age certificates, and a register of children under sixteen must be kept by employers in the form prescribed and produced for inspection when required (sec. 14). A copy of the Act must be posted in shops, commercial establishments and other places to which it applies (sec. 15).

FRANCE

LEGISLATION

The employment of children and young persons in commercial establishments generally is regulated by Book II of the Code of Labour and Social Welfare, as amended by an Act of 30 June 1928 which extends to commercial establishments the age provisions of the Code applying previously to industry only. In addition a Decree of 21 June 1913 has provisions to regulate the employment of children and women of any age on work outside shop frontages.

Book II of the Labour Code also contains provisions relative to the employment of children in theatrical and dangerous public performances. As regards theatrical performances, these are completed by three Ministerial Circulars of 10 March 1913, 26 June 1924 and 26 February 1925 which prescribe conditions for admission to such performances and fix an absolute minimum age.

An Act of 1 October 1917 relating to the police control of public houses has a provision concerning the employment of girls in places where intoxicants are sold.

Finally, an Act of 21 March 1914 has provisions concerning occupations dangerous to morals.

There appear to be no provisions to regulate either street trading as such, or the employment of boys in places where intoxicants are sold.

AGE PROVISIONS

Commerce. — Book II of the Labour Code, as amended by the Act of 30 June 1928, provides that a child who has not attained the age of thirteen years may not be employed in, or admitted to, any industrial or commercial establishment or its dependencies, other than a family undertaking (sec. 2). An exemption is allowed, however, for children who have attained the age of twelve years and have been declared physically fit in the manner provided for (sec. 4), and who have also obtained a certificate of primary studies in accordance with the provisions of an Act of 28 March 1882.

A Decree of 21 June 1913 forbids the employment of boys under fourteen years old and girls under sixteen years on the outside frontages of shops and booths (sec. 1).

Public entertainments. — Book II provides that no child of either sex under twelve years old may be employed as an actor, or take part in any entertainment given in a theatre or café-concert (sec. 50). But the Minister of Fine Arts in Paris and Prefects in the Départments may, by way of exception, allow the employment of one or more children in special pieces (sec. 59), and upon conditions laid down by the three Ministerial Circulars referred to above. These conditions are as follows: in no case will permission be given in respect of any child under nine years old; before permission is granted the authorities must be satisfied

that the nature of the piece and the conditions under which it is performed will not prejudice the health or morals of the child, and that the presence of the child is essential for the purposes of the performance; the child may not be employed for more than fifteen performances monthly, and its name may not figure on playbills, programmes or in advertisements. Finally, there are provisions to assure that there shall be no interruption of the child's compulsory school attendance, and to safeguard its pecuniary interests.

Dangerous performances. — A penalty is provided by Book II for any person causing a child under sixteen years old to perform any dangerous or contortionist feat, and for any person, other than the father or mother of the child, following the calling of an acrobat, mountebank, tamer of wild animals, or manager of a circus employing in connection with such performances any child under sixteen years old. A father or mother following such callings, and employing his or her own child under twelve is liable to a similar penalty (sec. 60). A penalty is also provided for any person, whether father, mother, guardian or otherwise, having authority over a child who, for profit or otherwise, delivers up a child under sixteen to any person exercising any such callings, and for any agents or intermediaries concerned in such delivery (sec. 61).

Bars, etc. — The Act of 1 October 1917 forbids the employment in public houses of any woman under eighteen years old except such as belong to the family of the occupier (sec. 9).

Work prejudicial to morals. — The Decree of 21 March 1914 forbids the employment of children under eighteen, or women of any age, in the manufacture or handling of printed matter, circulars, pictures or objects of which the sale, display or exhibition are forbidden by penal law. It is likewise forbidden to employ children under sixteen years and women under twenty-one years in any kind of work in places where any objects are manufactured which, though such manufacture is not contrary to penal law, might prejudice the morals of such persons (sec. 12).

AIDS TO ENFORCEMENT

To aid enforcement heads of establishments are required to affix in workplaces the relevant provisions of the law (sec. 83).

All employed children under eighteen years old are required to have a work book showing the child's name and date of birth and other particulars as required by the law. Should the child be under thirteen years old the certificate of primary studies, already referred to, must be annexed. The book is delivered free by a mayor to the father, mother, guardian or employer of the child (sec. 88).

A register must be kept by the employer showing the particulars referred to above (sec. 90).

Chiefs of establishments to which the Decree of 21 March 1914 concerning work prejudicial to morals applies must, on demand of an inspector, produce a work book or birth certificates of all children under eighteen years old employed by them.

GERMANY

LEGISLATION

The Federal Child Labour Act of 30 March 1903, amended by a Federal Act of 31 July 1925, contains provisions which apply to the

German Federation as a whole. Various State measures to apply the law have been passed, of which the most noteworthy are the Prussian laws of 30 November 1903 and 3 September 1906 concerning the employment of children. A Decree of 1 May 1926 brings the majority of the provisions of these two laws into accordance with modern requirements.

AGE PROVISIONS

General employment. — There are no provisions in the 1903 Federal Act absolutely to prohibit the employment of children below a given age. The Act provides, however, that even in the case of work allowed by law the police authorities may forbid the employment of particular children in work which may be prejudicial to them (sec. 20).

For the purposes of the Act "children" are defined as boys and girls below the age of thirteen years, or who, if over that age, are still required to attend a primary school (sec. 2). Distinctions are made between the employer's own children and those of other persons (strange children) (sec. 3).

Commerce. — The 1903 Federal Act provides that the employment in commerce (not defined) of an employer's own children under ten, or strange children under twelve, years is forbidden (secs. 5 and 13).

Public entertainments. — The 1903 Federal Act provides that no child under thirteen who is obliged to attend school may be employed in theatrical or other public entertainments (secs. 6 and 15). But exemptions may be allowed by the administrative authorities in the interests of art or higher science (sec. 6). These provisions are reproduced in the Prussian law of 1926.

Taking of cinematograph films. — The 1925 Federal Act forbids the employment of children in the taking of cinematograph films (sec. 6a). But the subordinate administrative authorities may permit the employment of children over three years old on condition that such employment does not involve any moral, intellectual or physical danger (sec. 6a (2)). The employment of children below the age of three years is allowed in the interests of science or art on condition that special measures, as therein mentioned, are taken to secure their health and safety (sec. 6a (3)). The Prussian law of 1926 sets forth these protective measures in considerable detail (secs. 8, 8a, 8b and 8c).

Bars, etc. — A general prohibition of the employment of children under twelve years old in inns and public houses is found in the 1903 Federal Act. The Act further prohibits the employment of girls under thirteen years old to serve customers (secs. 7 and 16). In places having a population of under 20,000 the subordinate administrative authorities may permit the work of the employer's own children in family undertakings of the description under consideration (sec. 16).

The Prussian law of 1926 reproduces this provision and recommends that, though no absolute age limit is fixed, the employment of any child under ten years old be, in principle, forbidden (sec. 22).

Delivery work. — The 1903 Federal Act allows the employment without restriction of the employer's own children to deliver goods and the like. But the competent police authorities may make by-laws to regulate delivery work (sec. 17). The employment of strange children in such work is allowed when they reach the age of twelve years (sec. 8).

AIDS TO ENFORCEMENT

To aid enforcement, the 1903 Federal Act requires that before strange children are employed notice in writing shall be given to the police

authorities who shall then issue a work card (secs. 10 and 11). As regards Prussia, this matter is dealt with in detail by the law of 1926 (secs. 9 to 21).

GREECE

LEGISLATION

The employment of women and minors generally is governed by Act No. 4029 of 24 January/6 February 1912 and the Regulations respecting the execution of the Act in Decree No. 4029 of 14/27 August 1913. The Act covers employment in commerce, street trading, restaurants and public entertainments.

AGE PROVISIONS

Commerce. — By the 1912 Act the age of admission to employment in commerce and selling places of any kind is twelve years, or fourteen years for children who have not finished their elementary school attendance. The prohibition does not apply to children over ten employed by their parents or guardians provided the work is not dangerous or injurious and does not hinder school attendance or last for more than three hours a day (sec. 1 (e)).

The 1913 Decree defines "commerce or selling places" as "indoor establishments in which wholesale or retail business or any kind of work connected with commerce is carried on" (sec. 2).

Public entertainments. — Children under fourteen years old may not be employed in theatrical or similar performances; but the competent police authority may grant exceptions in the interests of art (sec. 11). There appears to be no lower age limit when such exemptions are granted, nor is there a higher limit for dangerous performances.

Street trading. — Children under fourteen years may not offer for sale articles of any kind in the streets or public places or from house to house. An exemption is allowed for boys selling newspapers, for whom the minimum age is twelve years (sec. 10).

Bars, etc. — Children under twelve years old, or fourteen if elementary education be not completed, may not be employed in cafés, wine shops, confectioners' shops and the like, or in hotels. The same exemption is permitted as is allowed for family commercial undertakings (sec. 1 (f) and (g)).

AIDS TO ENFORCEMENT

The 1913 Decree provides the following aids to enforcement: registers must be kept in places where over fifteen young persons coming under the Act are employed, showing the prescribed particulars (sec. 27) and notices, as prescribed, must be posted (sec. 28). Work books, such as are required for industry by secs. 11 to 15, would not appear to be compulsory for commercial undertakings but they may be required to prove age. Male young persons under eighteen must have age certificates and these must be kept on file (sec. 32).

GUATEMALA

LEGISLATION

The Labour Act, promulgated by Decree No. 1434 of 30 April 1926, governs employment generally and has provisions applicable to all the

employments considered here except public entertainments. Attention may be called to the restriction upon street cleaning in towns, the only one of its kind found.

AGE PROVISIONS

Commerce. — The employment of children under fifteen years old in commercial establishments, irrespective of the nature of the employment, is forbidden. Schools and educational establishments are exempt (sec. 23), but not family undertakings.

Street trading. — Boys under fifteen years and unmarried girls under eighteen years may not engage on their own account or on the account of another person in any occupation carried on in the streets or public places, with the exception of occupations carried on in kiosks and similar fixed places (sec. 24).

Bars, etc. — No person under twenty-one years may be employed in establishments for the sale or delivery of intoxicating liquors (sec. 27).

Street cleaning. — Persons under twenty-one years may not be employed to clean the streets in towns (sec. 27).

HUNGARY

LEGISLATION

The employment of children and young persons is regulated by Act V of 12 January 1928, respecting the protection of children, young persons and women, which amends and confirms Act XVII of 1884 (Industrial Code) and Act XII of 23 February 1922 (Act to amend the Industrial Code). These Acts apply to the general employment of children and young persons and have special provisions for street trading. There are no special provisions concerning the age of admission to shops or places where intoxicants are sold, but such undertakings would, the Office is informed, come under the heading of general employment. Nor are there any provisions to regulate the age of admission to employment in public entertainments (except to the extent mentioned below), and the Office is informed that this occupation does not come under general employment as regulated by the Act. Employment in "offices of commercial undertakings" is specially mentioned.

AGE PROVISIONS

General employment. — Act XII of 1922 provides that children who have not completed fourteen years and who are liable to compulsory school attendance may not be employed in any capacity in the establishments or undertakings which fall within the scope of Act XVII of 1884 (i.e. non-industrial employment¹), or in the offices of industrial or other establishments coming within the scope of the law, nor may they do any kind of work there, even of a temporary nature (sec. 74).

Act V of 1928 confirms the provisions of these two Acts and provides that a child who has not completed his fourteenth year shall not be

¹ *Gewerbe*, a term nowhere precisely defined, but which would seem to be applied to any kind of work not strictly industrial in the sense now understood in the International Conventions relating to industry.

employed in the enterprises to which they relate; but by way of transition children who have attained the age of twelve years may be employed until such time as the compulsory school age has been raised to fourteen years ¹ (sec. 4).

Public entertainments. — There is no regulation concerning the age of admission of children to employment in public entertainments. The Office is informed, however, that in practice such employment is rare and is not allowed without previous permission from the police.

Street trading. — There are no provisions to regulate street trading as such, but according to information supplied to the Office the employment of young persons under eighteen in this occupation is forbidden.

IRISH FREE STATE ²

LEGISLATION

The employment of children in occupations outside factories, workshops and mines is governed primarily by the Employment of Children Act, 1903. The following Acts relate to certain aspects of such employment: work connected with public entertainments—the Prevention of Cruelty to Children Act, 1904; acrobatic and similar dangerous performances—the Children's Dangerous Performances Acts, 1879 and 1897; exclusion from bars—the Children Act, 1908; the taking of children and young persons abroad for purposes of performing—the Children (Employment Abroad) Act, 1913.

The following recent legislation also contains relevant provisions:

The School Attendance Act, 1926.

The Street Trading Act, 1926, and Regulations and by-laws made in pursuance of this Act or of the Employment of Children Act, 1903.

The Intoxicating Liquor Act, 1924, sec. 12.

The School Attendance Act, 1926, has had the effect of prohibiting full-time employment in any occupation of all young persons under the age of fourteen, and in virtue of the powers of the Ministry of Education, the part-time employment of young persons under the age of fourteen outside school hours and school periods may be prohibited if it is of such a nature as would interfere with attendance at school or prevent the young person from obtaining full benefit of education.

AGE PROVISIONS

General employment. — There is no absolute minimum age for general employment, but the Employment of Children Act, 1903, enables local authorities to make by-laws prescribing for all children under fourteen, or for boys and girls separately, and with respect to all or any occupations, the age below which employment is illegal, and to prohibit absolutely, or to permit subject to conditions, the employment of children in any specific occupation (sec. 1).

¹ The effect of this provision is that the employment of children twelve to fourteen years old will gradually diminish until 1935, by which time the employment of children under fourteen should have ceased altogether.

² Revised by the Department of Industry and Commerce of the Irish Free State.

Further, the Education Act, 1926, forbids the employment of any child under fourteen in such a manner as to conflict with the requirements of the Act (secs. 4 and 7).

Public entertainments (non-dangerous). — The Prevention of Cruelty to Children Act, 1904, provides a penalty for causing a child under eleven years to be at any time in any street, or premises licensed for the sale of intoxicating liquor, or premises licensed for public entertainments, or circus or other place of amusement, for the purpose of singing, playing or performing or being exhibited for profit or offering anything for sale. An exception is permitted for occasional sales for charitable objects (sec. 2c). A licence may be granted by a petty sessional court to enable a child exceeding 10 years to take part in a public performance on safeguarding conditions as specified in the Act (sec. 3).

Public entertainments (dangerous). — The Children's Dangerous Performances Act, 1879, as amended 1897, provides a penalty for any person causing a boy under sixteen or girl under eighteen years old to take part in any exhibition or performance dangerous to life or limb (sec. 13).

Further, the Prevention of Cruelty to Children Act, 1904, provides a penalty for allowing a child under sixteen to be trained as an acrobat or circus performer, or for any dangerous exhibition or performance¹ (sec. 3a).

Public entertainments abroad. — The Children (Employment Abroad) Act, 1913, makes it an offence to take a child or young person² abroad for the purpose of singing, playing or performing for profit unless, in the case of a young person, a licence has been granted under the Act (secs. 1 and 2).

Street trading. — The Employment of Children Act, 1903, prohibits the employment of a child under eleven years old in street trading (sec. 3). The Act also enables local authorities to make by-laws with respect to street trading by persons under sixteen years old and to prohibit or allow such street trading on conditions relating to age or otherwise, or subject to the holding of a licence or the wearing of a badge. In making such by-laws the desirability of preventing such employment for girls under sixteen is to be specially regarded (sec. 1).

The Street Traders' Act, 1926, and the regulations made thereunder, No. 63/1926, require all street traders to hold a Street Traders' Certificate which, in the City of Dublin, will not be granted to any person under fourteen years of age.

Bars, etc. — The Children Act, 1908, forbids the entry of a child³ into a bar except during closing hours (sec. 120).

The Intoxicating Liquor (General) Act, 1924, prohibits any holder of a licence from employing any male person under the age of sixteen years, and any female person (with the exception of certain relatives) under the age of eighteen years (sec. 12).

AIDS TO ENFORCEMENT

These include licences to enable a child under the prescribed age limits to be employed at night in a public entertainment, or to be trained

¹ The Department of Industry and Commerce informs the Office that in practice the training of children as acrobats for public performances is not carried on in the Irish Free State.

² This, by the Children Act, 1908, sec. 131, means a person who is fourteen years of age and is under sixteen years.

³ That is to say, a person under fourteen years' old—sec. 120.

as an acrobat or for any dangerous performance or to be taken abroad for the purpose of a public performance. Further, local authorities may require juvenile street traders to be licensed and to wear a badge.

ITALY

LEGISLATION

The employment of children and young persons in non-industrial occupations is regulated as follows: in public entertainments and in the taking of cinematograph films by an Act of 10 December 1925, No. 2277, respecting maternity and child welfare, Royal Decree of 6 November 1926, No. 1848, to approve the consolidated texts of the Acts relating to public safety, Royal Decree of 15 April 1926, No. 718, to approve the Regulations for the administration of the Act of 10 December 1925, and Regulations of 21 January 1929, No. 62 to approve the Regulations under the consolidated text of the Police Act of 6 November 1926, No. 1848; in street occupations by Act of 14 December 1873 prohibiting the employment of children in itinerant occupations, Royal Decree of 21 October 1926, No. 1904, respecting maternity and child welfare, and the Royal Decree of 6 November 1926 and Regulations of 21 January 1929 both cited above; employment in places where intoxicants are sold by the Act of 10 December 1925 and Royal Decree of 6 November 1926, both cited above.

There are no laws to regulate the admission of children to employment in commercial and banking undertakings, in public and private offices, in operatic or dramatic performances in theatres, and in hotels, nor is there any absolute limit for general employment beyond such indirect restrictions as might result from a strict application of the school laws¹. There are regulations applicable to variety entertainments, and it may be noted that as regards public entertainments (dangerous or otherwise) and street occupations no exemptions are allowed for children who may be employed by their parents.

AGE PROVISIONS

Public entertainments (non-dangerous). — The Act of 21 December 1925, sec. 21, consolidated by the Royal Decree of 6 November 1926, secs. 74 and 77, provides that children under the age of fifteen years shall not be employed as actors in walking-on parts or in any other manner in variety or cinematograph entertainments, equestrian performances in circuses, or in any other public entertainments other than operatic or dramatic performances.

The Regulations of 15 April 1926, sec. 155, consolidated by the Regulations of 21 January 1929, sec. 117, require the age of minors employed in public entertainments to be proved by means of a birth certificate.

Public entertainments (dangerous). — The Act of 10 December 1925, sec. 21, consolidated by Royal Decree of 6 November 1926, sec. 77, provides that children under the age of sixteen years shall not be employed in acrobatic feats or in other dangerous performances.

¹ The school age in Italy is normally twelve years. A Decree of 10 June 1926 requires children up to the age of fourteen to attend continuation schools, but it is not yet everywhere in force.

² Not defined.

Taking of cinematograph films. — The Act of 10 December 1925, sec. 21, consolidated by Royal Decree of 6 November 1926, secs. 74 and 77, provides that children under the age of fifteen years, irrespective of sex, shall not be employed as actors, in walking-on parts, or in any other manner in the taking of cinematograph films except for specified films of an educational character and with the consent in writing of a parent or guardian. By "films of an educational character" would appear to be intended those coming under the second paragraph of sec. 157 of the Regulations of 15 April 1926, i.e. those dealing with works of art, towns, landscapes, history, customs, scientific experiments and phenomena, agricultural work or industrial undertakings or equipment, or which seek to portray civic or religious qualities, hygiene of the home, family affections, maternal love, the spirit of sacrifice, acts of heroism and the object of which is to stimulate mirth, kindness, fortitude or courage ¹.

Consent for the employment of children ² by way of exception in films of the above character is given by the Prefect provided that the consent in writing of a parent is given, and provided the following conditions, laid down by the Regulations of 15 April 1926, sec. 155, consolidated by Regulations of 21 June 1929, sec. 23, be complied with:

That the preparation and taking of the scenes in which children are to be employed does not take place at an advanced hour of the night, or in places where the work would be unhealthy or dangerous;

That the work by its nature and duration is compatible with the age and strength of the child or children, and,

That the piece will not prejudice the morals of the child or children.

Before giving permission the Prefect is required to consult the local branch of the National Foundation for Maternity and Child Welfare (*Opera Nazionale per la protezione della maternità e dell'infanzia*) which, after due enquiry, will determine the conditions (if any) upon which such permission should be given.

Itinerant performances. — The Royal Decree of 21 October 1926, sec. 12, forbids the employment of children of either sex under fifteen years old, even by their parents or guardians, in the itinerant trades or callings set forth in sec. 1 of the Act of 21 December 1873, that is to say, in the calling of a mountebank, strolling singer or player, tight rope walker, fortune teller, tamer of wild animals and so on.

In virtue of sec. 123 of the Royal Decree of 6 November 1926 and sec. 248 of the Regulations of 21 January 1929 for its application, permission to exercise an itinerant trade may be refused to young persons over fifteen and under eighteen years should such employment be prejudicial to the health or education of such young persons, or should the work be undesirable by reason of its nature, or should the consent of a parent or guardian be refused.

Bars, etc. — The Act of 10 December 1925, sec. 23, consolidated by the Royal Decree of 6 November 1926, sec. 99, provides that children and young persons under the age of eighteen years, other than those belonging to the family of the occupier, shall not be employed in undertakings for the retail sale of alcoholic beverages.

¹ The Prefect decides whether the film conforms to these requirements.

² No absolute age limit is fixed.

LATVIA

LEGISLATION

The Hours of Work Act of 24 March 1922, as amended 26 April 1924, has an age restriction applicable to employment generally and to work in bars, etc.

AGE PROVISIONS

General. — The 1922 Act, as amended 1924, provides that children who have not completed their fourteenth year shall not be employed (sec. 10). There is nothing in the Act to indicate that family undertakings are exempt from this provision.

Bars. — Children, young persons and women under twenty-one years old may not be employed in establishments dealing in intoxicating liquor (sec. 11).

LUXEMBURG

LEGISLATION

The only relevant provisions concerning the employment of children outside industry appear to be those of an Act of 18 June 1870 concerning itinerant callings which, to a limited extent, regulates street trading.

AGE PROVISIONS

Street trading. — The Act of 18 June 1870 provides that no permission to enable a person to accompany a street trader will be given in respect of children under fourteen years old except in cases of absolute necessity (sec. 3).

NETHERLANDS

LEGISLATION

The employment of children in non-industrial occupations is regulated by the Labour Act of 1919, recently amended by an Act of 14 June 1930 and a Royal Decree of 10 August 1920. There are no provisions concerning employment of young persons over fourteen and under eighteen years in public entertainments other than those relating to dangerous feats, street trading or work in bars.

AGE PROVISIONS

General employment. — Children under fourteen years old, or who are still obliged to attend school, may not perform any work or engage in any occupation considered as work¹ under the provisions of the Labour Act (sec. 9, amended 14 June 1930), including "work done by the head or manager of an undertaking, or his wife" (sec. 1, subsec. 1 (c)). It follows from this that no child under fourteen years old, or who is still obliged to attend school may perform any work on his own account or on account of another person.

¹ "Work" under the Labour Act includes any occupation carried on in any undertaking with certain exceptions, of which the chief are agricultural and horticultural enterprises, forestry and stock raising. The employment of children by their parents in family undertakings before or after school would be regarded as "work" within the meaning of the Act.

No distinction is drawn by the law between work performed by children for their parents and for others.

Public entertainments (dangerous). — The employment of young persons of either sex under eighteen years old to perform any dangerous feat, or any performance involving danger is forbidden by the Royal Decree of 10 August 1920 (sec. 2).

Weight lifting, etc. — The same Decree also forbids the employment of young persons under eighteen to lift heavy weights, and of young persons under sixteen in rag sorting and certain unhealthy or arduous occupations (sec. 4).

AIDS TO ENFORCEMENT

To aid enforcement heads of undertakings are required to see that no young person under eighteen is employed unless the head of the undertaking or manager is in possession of a work card in respect of that young person which conforms with the provisions of the law (sec. 67 (1)).

NORWAY

LEGISLATION ¹

Provisions concerning the employment of children generally are found in an Act dated 26 June 1889, amended by an Act of 15 August 1908, concerning urban and rural elementary schools. An Act relative to public entertainments, promulgated 22 May 1875, contains relevant provisions, and a number of local ordinances have been issued under it in various communes. Other provisions concerning the employment of children in non-industrial occupations are found in the General Penal Act of 22 May 1902.

AGE PROVISIONS

General employment. — The School Acts of 1889 and 1902 impose strict conditions upon employers of children of school age ². Before engagement the employer is to ascertain whether the child is attending a public elementary school and should this be the case a certificate must be procured indicating the child's hours of school attendance and it must be produced when required to the school authorities (1889 Act, sec. 16, and 1903 Act, sec. 18).

The employment of a child during school hours is forbidden and adequate time for rest must be allowed before the child goes to school. Employment may not hinder the child's school work.

The General Penal Act of 1902 has provisions to secure the health, morals and physical safety of young persons under sixteen employed by their parents or guardians and those under eighteen years old working for strangers (sec. 218).

Public entertainments. — The General Penal Act requires that before a young person under sixteen years old be employed in any kind of public entertainment a permit from the authorities be obtained (secs. 381-4). There appears to be no absolute minimum age for the issue of such a permit.

¹ From information communicated by the Norwegian Department of Social Affairs.

² By secs. 51 and 58 of the School Acts attendance is compulsory from the age of seven (six and a half) years until the end of the school year in which the child attains fifteen.

As regards dangerous feats, no young person under 16 years old may be required to perform any dangerous feat in a public entertainment, nor may a strange child be engaged for such a purpose (secs. 381-5). The Act of 22 May 1875 requires local authorities to issue detailed regulations concerning public entertainments and to include in these provisions for the employment of children. No precise information concerning the issue of such regulations is, however, available.

Street trading. — Certain communal ordinances contain provisions concerning the employment of children to sell newspapers, as bootblacks, messengers and in delivery work. No detailed information concerning such ordinances is, however, available.

Bars, etc. — Employment in such places is regulated by the General Penal Act of 1902 which provides as follows:

- (1) No child under sixteen years old may be employed in a bar to serve customers;
- (2) The employment of women under twenty-one in such places is forbidden;
- (3) Persons between sixteen and eighteen years old may not be employed to serve customers in undertakings where the principal business is the retail sale of alcoholic beverages (sec. 381, subsecs. 1, 2 and 3).

PANAMA

LEGISLATION

Certain relevant provisions are found in the Administrative Code of 22 August 1916, which concern commercial employees.

AGE PROVISIONS

Commerce. — The employment of children under fourteen years old in commercial establishments (not defined) is forbidden (sec. 1095.(1)).

Bars, etc. — The employment of children under fourteen years old is forbidden in public houses and restaurants, etc. (sec. 1095 (1)), and of young persons under eighteen years old in places where intoxicating liquors are sold (sec. 1095 (2)).

PERU

LEGISLATION

Relevant provisions are contained in the Employment of Women and Children Act of 23 November 1918, and the Regulations made under it of 25 June 1921.

AGE PROVISIONS

General. — The Act provides that children who have not attained the age of fourteen years may not be employed in any occupation on behalf of an employer, except in family undertakings. But an exception is allowed for children over twelve years who are able to read, write and reckon, and who have been certified to be medically fit for the work to be undertaken (secs. 1 and 2).

Public entertainments. — Persons under fourteen years old may not be employed in any public entertainment either as actors or supernumeraries. But the mayor of any municipality may authorise the employment of children as supernumeraries in any particular performance, provided they are not employed after 11 p.m. (sec. 13). The Regulations require proof of age to be furnished (sec. 14). No absolute minimum age below which children may not be employed in public entertainments is fixed either by the Act or Regulations.

Dangerous performances. — Persons under sixteen years old may not perform acrobatic or balancing tricks or feats of strength or contortion in public entertainments (sec. 33). Penalties are provided for persons exercising the profession of acrobat, gymnast, rope dancer, tamer or exhibitor of animals, bull-fighter, circus director or other like profession who employ children (other than their own) under sixteen years old (sec. 35) and for parents employing their own children, or children who are relatives, under fourteen years (sec. 36).

Street trading. — The Regulations forbid the employment of women who are not of age and of minors under eighteen years in street trading as therein specified (secs. 18 and 20). But an exemption is allowed for young persons of either sex over fourteen years and under eighteen years provided a permit be obtained under sec. 4 of the Regulations¹, and provided also that the work be necessary for the support of the worker or his family (sec. 24).

Driving vehicles. — The Act forbids the employment of any person under twenty-one years to drive or steer any vehicle (sec. 25); the Regulations permit proof of age to be required (sec. 30).

AIDS TO ENFORCEMENT

To aid enforcement the Regulations require children under fourteen years to procure a permit in the form of a work book from the labour inspectorate (secs. 3 and 4) and to furnish proof of age (sec. 5). As regards young persons over fourteen and under eighteen years, employers are required by the Act to deliver a work book containing the prescribed particulars to the parents or guardians of the young person (sec. 22; for form of work book, Regulations, sec. 28). In addition the Act requires a register to be kept showing the names, ages and addresses of workers under eighteen years old and other particulars entered in the work book (sec. 24). A copy of the Act must be posted in places where young persons under eighteen years old are employed (sec. 42).

As regards public entertainments, the Act provides that persons exercising the profession of acrobat, etc. (as sec. 35, above) must keep documents attesting in due legal form the names of the parents or guardians, the nationality and personal identity of all persons under twenty-one years employed by them; and local authorities before giving permission for performances must demand the production of such documents (sec. 39).

POLAND

LEGISLATION

The Polish Constitution contains a general prohibition of child employment to which effect was given by an Act of 2 July 1924 concern-

¹ It is granted on proof of ability to read, write and reckon, and of physical aptitude.

ing the employment of women and young persons and covering, *inter alia*, employment in commercial undertakings, offices, and undertakings carried on by way of trade, whether for profit or otherwise, and whether public or private. The Act also covers street trading¹, public entertainments of all kinds and work in restaurants, whether licensed to sell alcoholic beverages or not, and bars. No exception is allowed for family undertakings but, as the Act applies exclusively to remunerated work², the employment of children by their parents would not be covered³.

A Decree of 17 November 1924 regulates the enforcement of the provisions of the above Act which concern age.

AGE PROVISIONS

General. — The Polish Constitution forbids the employment for wages of young persons under fifteen years old (sec. 103), and the Act of 2 July 1924 provides that children who have not attained the age of fifteen years shall not be employed for remuneration (sec. 5). Further, such young persons may not be employed without production of an age certificate, a permit from a parent or guardian, a certificate of having completed their compulsory school attendance and a certificate from a doctor appointed by the labour inspectorate to the effect that the child is physically fit to perform the proposed work (sec. 6).

Unhealthy occupations. — Among occupations forbidden for young persons under eighteen years old by the Decree of 29 July 1925 (made under the Act of 2 July 1924) are: the collection, sorting and packing of rags which have not been disinfected (sec. 17); work in hospitals, sanatoria, dispensaries and veterinary clinics (sec. 27); and the raising of weights exceeding 30 kilograms, or 20 kilograms for female young persons (sec. 29).

Public entertainments, street trading, bars, etc. — The general restriction contained in sec. 5 of the Act of 2 July 1924 applies to these employments, and the age of admission is therefore fifteen years.

AIDS TO ENFORCEMENT

To aid enforcement a register is required to be kept of employed young persons (who have not attained the age of eighteen years—sec. 2) in accordance with a prescribed model. A list of such young persons must be posted in workplaces and must show the times of starting and ending work, the nature of the work and the rest periods (sec. 11).

PORTUGAL

LEGISLATION⁴

In Portugal partial protection is afforded by Decree No. 14498, dated 29 October 1927, concerning the employment of women and young

¹ Provided, however, that the child is engaged under a labour contract, and not trading on his own account.

² By "remunerated work" the law understands work remunerated in money or kind (agricultural work) or by vouchers which may be exchanged for goods.

³ Although there are no provisions to regulate the employment of children in family undertakings, the Civil and Penal Codes, in cases of abuses or exploitation by parents, permit the restriction, or even the withdrawal, of parental rights.

⁴ Seen and revised by the Portuguese Labour Inspectorate.

persons and to institute health protection, and by Decree No. 14535, dated 31 October 1927, to approve Regulations. The primary object of these measures appears to be to secure the health of women and young persons employed in industry, but certain provisions would apply to some of the occupations considered here.

AGE PROVISIONS

General. — There appears to be no general age limit for admission to non-industrial work, but Decree No. 14498 of 1927 provides that young persons (i.e. boys under sixteen and girls under eighteen years of age) may only be employed in light work of short duration not harmful to physical or intellectual development or morals (sec. 3). It also provides for drawing up schedules of prohibited employments (sec. 22) and one such schedule is annexed to the Decree, but the employments enumerated therein are exclusively industrial.

Decree No. 14535 of 1927 to approve regulations provides that no young person (as defined above) may be admitted to employment who has not proved his ability to read and write, and of whose physical fitness for the work he is to perform has not been attested by medical examination¹ (sec. 1).

Public entertainments. — Decree No. 14498 provides that young persons under sixteen may not be employed in gymnastic or acrobatic feats in public entertainments (sec. 7).

There appear to be no provisions relating to any of the other forms of employment connected with public entertainments considered here.

Driving. — The Decree also provides that young persons under fourteen years old may not be employed as postillions or horse riders in any vehicles, whether public or private (sec. 7).

Street trading, bars, etc. — These occupations are not specially mentioned.

RUMANIA

LEGISLATION

The employment of children and young persons in Rumania is governed by an Act of 9 April 1928 to regulate the work of women and young persons, and by a Royal Decree No. 247, dated 30 January 1929, issuing Regulations for the application of the Act. There is no absolute minimum age for employment generally, and only commerce is regulated as such; but the Office is informed that the other employments here considered are regarded by the competent Minister as being commerce within the meaning of the law.

AGE PROVISIONS

Commerce. — The Act applies to commercial undertakings of all kinds and their branches (sec. 2). "Commercial undertakings" are not specially defined, but it is provided (sec. 4) that the scope of the

¹ In the case of industrial employment the examination must be carried out by the medical officer of the establishment where the young person is to be employed (sec. 2). It is not stated who performs the examination in the case of non-industrial employment.

establishments coming within sec. 2 may be fixed by the Minister of Labour in consultation with the Superior Labour Council (sec. 4).

Only young persons who have completed fourteen years may be employed in commercial undertakings (Act, sec. 5; Regulations, sec. 7). Undertakings employing only members of the same family are exempt, unless classified as dangerous or unhealthy (Act, sec. 3; Regulations, sec. 4); approved and supervised technical schools are also exempt (Act, sec. 21; Regulations, sec. 24).

Young persons over fourteen years of age¹ before being admitted to employment in commercial undertakings are required to have a certificate showing that they are in good health and fit to perform the work required of them; to obtain such certificate a birth certificate must be produced. Only the medical officers specified in the Act may grant employment certificates (Act, sec. 6; Regulations, sec. 8).

Public entertainments, street trading, bars, etc. — These employments are not specially mentioned, but the Office is informed that they, and employment in flower shops and barbers' shops, are regarded by the Minister of Labour as commercial undertakings. The admission age would therefore be fourteen years.

SOUTH AFRICA (UNION OF)

LEGISLATION

Provisions relating to public entertainments, street trading, and work in bars are contained in the Children's Protection Act, 1913, as amended in relation to public entertainments by an Act of 1921. The Act is a Union measure.

AGE PROVISIONS

Public entertainments. — A child under fourteen years may not take part in any entertainment or series of entertainments in any place licensed for public entertainments, or in any circus, theatre or place of public amusement. But a magistrate may issue a licence upon conditions relating to physical fitness, absence of risk to life or limb, and kind treatment, to enable a child to be so employed. Occasional charitable entertainments are exempt from this provision (sec. 52, 1913 Act, as amended 1921, sec. 15).

Street trading. — Local authorities may make by-laws to prohibit, regulate or restrict street trading by children under sixteen years old (sec. 5).

Bars, etc. — A penalty is provided for allowing a child under sixteen to be in the bar of any licensed premises except when such bar is closed (sec. 49).

AIDS TO ENFORCEMENT

A licence is required to enable a child under the prescribed age to be employed in a public entertainment.

¹ The upper limit is not stated but if the definition of "young persons" given in sec. 1 of the Act be accepted it would include all those under eighteen years old.

SPAIN

LEGISLATION

The employment of children and young persons is governed by an Act of 13 March 1900 relating to the employment of women and children and the Regulations made under it of 13 November 1900. In addition the Penal Code, which came into force on 8 September 1928, provides penalties for breaches of the law, including certain occupations not mentioned in the 1900 Act and Regulations, in particular the taking of cinematograph films, employments prejudicial to morals, and employment in bars, etc.

AGE PROVISIONS

General. — The 1900 Act prohibits the employment of children under ten years old in any kind of work (sec. 1), but this age may be reduced to nine years in the case of children who can read and write (sec. 8), this to be attested by a school master authorised by the local authorities (Regulations, sec. 15). Family undertakings are excepted (Regulations, sec. 3) unless the work done therein is dangerous or unhealthy, or mechanical motive power is used (sec. 5).

The Penal Code provides a penalty for employing a child under ten years old, or employing any child ten to fourteen years old in contravention of the law (sec. 842).

To be admitted to employment the Regulations provide that young persons under sixteen years old must produce a permit (attested by the local authority) from a parent or guardian, a birth certificate and a certificate from a special medical officer to the effect that the proposed employment will not exceed the strength of the young person (sec. 16).

Public entertainments. — The 1900 Act forbids the employment of a child under sixteen years old in any kind of public entertainment, even though of a literary or artistic character (sec. 6), while the Penal Code provides a penalty for employing children in such performances (sec. 841). The 1900 Act allows exemptions from the provisions relating to public entertainments to be granted by the administrative authorities but they must take into consideration the character of the work and the situation of the child (sec. 6).

As regards dangerous performances, the 1900 Act provides that acrobatic performances must not be given in public by children under sixteen years old (sec. 6) and the Penal Code provides a penalty for employing children under sixteen years old in public or private to execute any dangerous feat of equilibrium, strength, agility or dislocation (sec. 761).

Taking of cinematograph films. — The Office is informed that the provisions of sec. 6 of the 1900 Act and sec. 841 of the Penal Code (above) would also apply to the employment of children in the taking of cinematograph films.

Street trading. — This occupation is not specially mentioned in the Act, Regulations or Penal Code.

Occupations dangerous to morals, and bars, etc. — The Penal Code provides a penalty for employing children under sixteen years old in occupations dangerous to morals (even though the occupation itself be not contrary to the provisions of the Code), in dancing halls, in places where intoxicating liquors are consumed or sold, and in places where the morals of such children might be endangered (sec. 845).

AIDS TO ENFORCEMENT

To aid enforcement, copies of the Act and Regulations are required to be posted in workplaces where children or young persons are employed (sec. 17).

SWEDEN

LEGISLATION

The relevant legislation is found in the Labour Protection Act of 29 June 1912 which covers every occupation, industrial or otherwise, in which workpeople are engaged to work for an employer; work carried on in the worker's own dwelling is excluded (sec. 1); the Swedish Ministry of Social Affairs informs the Office that this exemption would also include work carried on in such conditions that it would not be considered the duty of the employer to supervise its execution, but as regards the employment of children this would have no practical significance. The Ministry further informs the Office that no provisions relating to the employment of children by their parents have ever been issued in Sweden.

As regards street trading, in addition to the general age provisions of the Labour Protection Act, an Act of 9 April 1926 relating to the employment of children in street trading enables local authorities to prohibit certain kinds of sales; apart from this Act local authorities have no powers to make regulations relating to the employment of children.

As to public entertainments, there are no special provisions in the Labour Protection Act, but provincial authorities have certain powers, referred to below.

No special provisions have been issued relating to the employment of minors in places where intoxicating liquors are sold.

AGE PROVISIONS

General employment. — The Labour Protection Act provides that in work other than that contemplated in sec. 15 of the Act ¹ no minor may be employed until the completion of his fifteenth year (secs. 9 and 15).

84, Sweden, General employment, third line: no special
For "fifteenth year" read "twelfth year". informs the
Since that time the Office has informed the
so far been placed in a special position and that the Office has informed the
authorities (or in Stockholm the Governor's Office) may, in particular
cases, grant exceptions in respect of such performances from the
prohibition otherwise in force against the employment of children
under a certain age in public shows or performances ².

Street trading. — The Labour Protection Act has no provisions specially to regulate the age of minors in this occupation other than those contained in sec. 12 of the Act ³ nor, the Office is informed, was the Act intended to

¹ The section relates to industrial work.

² This seems to refer to the general provisions of the Labour Protection Act fixing an age of twelve years for all employment.

³ Prohibiting the employment of minors at night in delivering goods, carrying messages or running errands, and therefore not relevant to this enquiry.

regulate this class of work, which is included in the "other occupations" regulated by sec. 9 (see above, *General employment*), and for which the age of admission is therefore twelve years. Furthermore, the Act of 1926 relating to the employment of children in street trading empowers local authorities to prohibit the employment of children in offering for sale or delivering printed matter, flowers, haberdashery or other goods. This prohibition does not apply to children over sixteen years old; and the sale of goods in shops or elsewhere, the delivery of newspapers between 8 a.m. and 7 p.m. and the delivery of other articles if children are assisting their parents, or working under their supervision, may not be prohibited for children over twelve years old (sec. 1).

Occupations dangerous to health or morals. — The Labour Protection Act forbids the employment of a minor in such a manner as to involve risk of accident, or injurious effects to health, physical development or morals (sec. 10). Conditions may be imposed upon such employment, or it may be prohibited altogether (secs. 17 and 30).

AIDS TO ENFORCEMENT

To aid enforcement a special list of minors must be kept in workplaces showing their names and ages. Notices must also be affixed in such places indicating the time when the minors start and leave off work, and the rest periods (sec. 37).

SWITZERLAND ¹

LEGISLATION

The employment of children or young persons in non-industrial occupations, that is to say in hotels and restaurants, public houses, street trading and public entertainments, is regulated in Switzerland by cantonal laws. These regulations differ widely between one canton and another, and the laws in which they are found include those for the protection of workers, and those relating to hours of labour, hotels, restaurants, and public houses, street trading and school attendance.

The most complete regulation is found in the cantons of Glarus, Basle Town, Neuchâtel and Geneva, which have laws to regulate the employment of children in commerce, itinerant callings (including street trading), hotels, restaurants and public houses, and places where cinematograph entertainments are held.

There is some difference in the scope of this regulation, due to the fact that the interpretation of the term "industrial employment" (regulated by a Federal Act) is not everywhere the same. In one canton, for instance, the term is held to cover the employment of children in places of amusement, theatres, and concert halls, unless the work consists exclusively of appearing on the stage. Sometimes the police authorities exercise restrictive powers. Thus, in one Swiss town the head of the police threatened to withdraw the permit of any cinematograph proprietor employing children or young persons in any manner; this was based on a provision of a cantonal law which required that such establishments should be carried on "in such a way as not to occasion cause for complaint" and so as to assure "the maintenance of public order and decorum". As a result there is no child employment in any

¹ From a special report made for the Office by the *Office fédéral de l'industrie, des arts et métiers et du travail*.

cinematograph establishment in the town in question though the employment is not formally prohibited. In one canton a permit from the police is required for every public entertainment and advantage is taken of this to restrict or prohibit the employment of children should the nature of the piece make it desirable.

The compulsory school attendance laws, which are strictly enforced in Switzerland, also help to restrict non-industrial child employment. The age for compulsory attendance is determined by the cantons, and is usually fourteen years, though in some it is fifteen years and in others thirteen. When the age is fifteen years the law usually allows exemptions at fourteen should it be wished to apprentice a child, or if the circumstances of the parents make exemption desirable. The effect of such provisions is to permit the employment of children only outside school hours and during vacations.

It should further be noted that most school attendance laws are so framed as to permit the authorities to exercise a control over the employment of school children, either in their own homes or elsewhere; an example of this is found in the canton of Geneva, where a 1928 law provides that children under fourteen years old shall not be employed for wages outside their families without the written permission of the school authorities, and in the case of necessitous families the authorities may make an allowance to cover the loss of the child's wages.

AGE PROVISIONS

Commerce. — In the cantons of Glarus, Basle Town, Ticino, Neuchâtel and Geneva, as well as in the commune of Lausanne, the age for admission to employment in shops and offices is fourteen years. In Geneva, however, the employment of children below fourteen years is allowed for not more than three hours daily.

In a few other cantons the laws for the protection of women workers forbid the employment of young girls less than fourteen years old in shops unless the employment consists exclusively of selling goods. Young girls employed other than in the sale of goods are regarded as performing industrial work¹. In a number of cantons, including Zurich, the age for admission to apprenticeship in commerce is fifteen years which means, in effect, that admission under this age to such employment is practically out of the question, as it would not be considered unless a regular apprenticeship had first been served.

Public entertainments. — In the canton of Geneva no child under fourteen years may be employed in a public entertainment. This prohibition is absolute, and there is no provision, as in some other cantons, to allow employment for three hours daily with permission from the authorities. In Basle Town the employment of school children in concerts or performances held in cafés or restaurants is forbidden. In the canton of Berne children of school age may not enter places where public dances are held. In the canton of St. Gall children under twelve years old may not be employed in shows or fairs. There is no legislation in the other cantons.

A few cantons have special regulations applicable to places where cinematograph entertainments are held. These are Zurich, Zug, Basle Town and St. Gall where the age is eighteen years, and Lucerne, Fribourg

¹ The minimum age for admission to employment in industry in Switzerland is fourteen years.

and Valais where it is twenty years. There are no special regulations for this class of entertainment in other cantons, but in certain of them, in order to lessen the risk of fire, cinematograph operators must have a minimum age of eighteen, or even twenty years.

Itinerant callings. — Except in the cantons of Vaud and Geneva itinerant callings (i.e. street trading, itinerant performers, etc.) are everywhere regulated. The exclusion of children from this work may be effected in two ways. In the first place, a licence is required and the ages below which it will not be granted are as follows: fifteen years in the canton of Aargau; sixteen in the cantons of Basle Rural, Ticino and Neuchâtel (exceptions permitted); eighteen in the cantons of Zurich, Uri, Glarus, Fribourg, Solothurn, Basle Town, and Appenzell A.-Rh., and twenty in the cantons of Berne, Lucerne, Schwyz, Unterwalden-Ob. and -Nid., Zug, Schaffhausen, Appenzell I.-Rh., St. Gall, Grisons, Thurgau and Valais. In the second place, nearly all cantons forbid itinerant traders to be accompanied by children, usually under penalty of forfeiture of licence. In the canton of Berne this prohibition extends to the age of sixteen years, while in the canton of Valais a special permit is required for the employment of persons under eighteen years old. A certain number of cantonal laws permit limited exemptions from these provisions, usually for the sale of wild berries, fruit, agricultural and market produce, and newspapers. When no licence is required the work may be undertaken by children, though certain cantons impose restrictions; thus in Schaffhausen, young persons under eighteen years so employed may not enter a café or restaurant.

Itinerant performers are subject to special regulations but are not always required to take out a licence. In a number of cantons they may be accompanied by children, though in some cases special permission from the authorities is needed. Provisions of this sort mostly affect foreigners whose children are under no compulsion to attend school.

Hotels, restaurants and public houses. — Most cantons have laws to regulate employment in such places. The majority forbid children and young persons, other than members of the occupier's family, to serve customers, but allow other work, such as washing dishes. In many cantons the occupation of pin-boy in a bowling alley is allowed. In Basle Town alone is the employment of children (including those of the occupier) of school age absolutely forbidden in hotels, restaurants and public houses. In certain cantons (Fribourg, Appenzell A.-Rh., St. Gall, Thurgau and Neuchâtel) the prohibition concerning the serving of customers also applies to the occupier's family. The age of admission for the work of serving customers is as follows. Twenty years for female young persons and sixteen years for male in the canton of Zurich; eighteen and sixteen years respectively in the cantons of Lucerne, Uri, Unterwalden-Ob. and -Nid., Basle Town, Grisons and Valais; eighteen years for both sexes in the cantons of Glarus, Zug and Fribourg; eighteen years for female young persons (no regulation for male) in the cantons of Berne, Solothurn, Schaffhausen, Appenzell A.-Rh. and I.-Rh., St. Gall, Thurgau and Neuchâtel.

Most of these laws relate to the regular service of customers and thus permit occasional service. The competent authorities in a large number of cantons, however, have refused to allow such work owing to the difficulty of controlling it. There are no special provisions in the cantons of Schwyz, Basle Rural, Ticino and Geneva ¹.

¹ In this canton, however, a general prohibition of the employment of children under fourteen in remunerated work would operate as a restriction.

AIDS TO ENFORCEMENT

It will be apparent from what has been said that itinerant traders (irrespective of age) have everywhere to be licensed in Switzerland, and that this restriction, though not primarily intended to exclude children, would operate as an effective indirect restriction, since an age (varying with the canton) is fixed below which such a licence will not be granted. In one canton a special permit is required should an itinerant trader be accompanied by a child.

Though no special permit appears to be required to allow the employment of a child in a public entertainment, it would seem that the police, when granting permission for such entertainments, have sufficient powers to forbid the employment of children or young persons or to impose safeguarding conditions.

VENEZUELA

LEGISLATION

The Labour Act of 12 July 1928 has a provision relating to work in bars and places prejudicial to morals; apart from this there appear to be no age provisions applicable to the employments considered here.

AGE PROVISIONS

Bars, etc. — Women and young persons under twenty-one years may not be employed in places where alcoholic liquors are sold (sec. 16).

Places prejudicial to morals. — Women and young persons under twenty-one years may not be employed in places where the work may be prejudicial to morals (sec. 16).

YUGOSLAVIA

LEGISLATION

The Workers' Protection Act of 28 February 1922 applies to commerce and possibly to the other occupations considered here. Whether this is so is a matter for interpretation upon which an opinion cannot well be expressed by the Office; it may be said, however, that the term "commercial undertaking" seems to be capable of a very wide interpretation.

AGE PROVISIONS

Commerce. — Children under fourteen years old may not be employed in the undertakings to which the Act applies (sec. 20). These include commercial undertakings, but not family businesses (sec. 1). The word "undertaking" is defined as "any organised work carried on at a place specially designated for the purpose, whether enclosed or open, with the help of special employees" (sec. 2); while "employees" are defined as "persons who work regularly or temporarily, either for the purpose of learning a trade, or for remuneration" (sec. 3).

AIDS TO ENFORCEMENT

To aid enforcement, a register of all employees must be kept, with a special division for all employees under eighteen years old (sec. 21). All workers (irrespective of age) are required to have work cards, and as regards those under sixteen years the card must give particulars of the permit¹ on which they were admitted to employment. Such persons must have the consent of their parents or guardians (sec. 120).

¹ No information has been found concerning the nature of this permit.

PART III

CONCLUSIONS

The foregoing examination of the legislation existing in the various countries enables consideration to be given to the possibility of international regulation, and to the determination of the points on which Governments might be consulted.

It will be remembered that in placing on the agenda of the Conference the question of the admission of children to employment in non-industrial occupations, the Governing Body of the International Labour Office was not drawing the attention of the Conference to an isolated problem, but simply continuing the work already undertaken by the Organisation during the past ten years. The first question, therefore, is to decide whether the Organisation should endeavour to solve the present problem having regard solely to the laws of those countries which have legislated on the subject, or whether it should not take into account as well the international decisions already taken by the Conference with regard to other questions of the same nature with which the problem before it is inseparably bound up.

Should the Conference adopt the second alternative in dealing with the age of admission of children to employment in non-industrial occupations, it would imply a desire to continue the work begun in 1919 for the protection of children from the dangers of premature employment on work beyond their strength, and a wish to ensure that the regulations already adopted, with any which may be adopted in future, should form a single whole which should take into account certain principles common to all child labour legislation irrespective of the nature of the employment, since it will always be necessary to protect children from undue strain, and avoid compromising their future by premature work.

The outstanding principles which, as regards age of admission to employment, are embodied in the decisions so far taken, may be summarised as follows: fixing a minimum age of fourteen years

for admission to employment in general; exceptions for certain types of employment which present but slight danger for the health of the child, while assuring school attendance; fixing a higher minimum age for work of a particularly dangerous character.

It remains now to examine the questions which arise and to consider how, and to what extent, these principles may be applied to the regulation of the minimum age for admission to employment in non-industrial occupations.

FORM OF REGULATION

Assuming that the Conference will take the view that the problem is not an isolated one, but part of a united whole, the form of regulation should be the same as that adopted for the allied problems constituting the other parts. School attendance being everywhere compulsory for all children, whatever their future is to be, and every country having a common standard of life for the whole community, it is for the Conference to decide in such a way that no international regulation shall compromise this standard. Thus, the first question to arise is what form the proposed regulation should take. It can be said that the legislation in the majority of the States Members of the Organisation would afford sufficient basis for a Draft Convention. The occupations to be covered are, no doubt, more varied than those covered by the Conventions concerning the age of admission to employment in industry, agriculture and on board ship, and it may be anticipated that the regulation finally agreed on will not be so simple as that adopted in previous Conventions. This fact would not, however, seem to justify resorting to some other method of regulation should the Conference decide, for the weighty reasons given, to adopt the method of a Convention.

SCOPE

The formula chosen when placing on the agenda of the Conference this part of the problem of child protection was the following: "Age of admission of children to employment in non-industrial occupations". It may be observed, in passing, that the expression is not strictly accurate, for certain non-industrial occupations have been already covered by Conventions; it is, however, convenient, provided its meaning be clearly defined.

There are two ways in which the scope of the proposed new regulation might be limited. The first would be to draw up a

complete list of occupations, or groups of occupations, to be covered. The second would be to select a general formula which, should a Draft Convention be adopted, would include all occupations not covered by previous Conventions concerning the minimum age for admission to employment. It will be for the Conference to choose between these two methods and to say which seems to be better suited to the end in view. Should the second be chosen it might be advisable, as a precautionary measure, to consider whether certain categories of employment ought not to be excluded from the Draft Convention and reserved for future consideration. The question will also arise whether, as in the Conventions on the age of admission to employment, in industry and on board ship, work performed in technical schools under the supervision of the public authorities should not be excluded from the scope of the proposed regulation.

Among the occupations to be covered it would seem that the following should certainly find a place:

- (a) commercial undertakings;
- (b) offices of all kinds;
- (c) sanatoria and establishments for the treatment of the sick (including baths, doctors' and dentists' consulting rooms, etc.);
- (d) itinerant occupations (street trading, hawking, etc.);
- (e) public entertainments, including itinerant performances and fairs.

The above list is given merely as an example, and it may be asked whether a list should appear in the Draft Convention. It will be for the Governments to reply to this question; and before doing so they doubtless will consider that, as previous Conventions have shown, however carefully a list may be drawn up, the risk of omissions is always present, while a list which may be complete to-day may be incomplete to-morrow through economic or social changes.

The choice will lie between the method of a list and a general formula applying to all employment not covered by previous Conventions and with, no doubt, certain clearly defined exceptions. Such exceptions could raise, as well as lower, the general age limit according to circumstances.

GENERAL AGE LIMIT

The next question is whether the same minimum age should be fixed for all occupations to be covered by the Draft Convention.

It has been made clear in the course of this study that the occupations treated differ considerably in character, and range from light and easy work which, if the hours are short, is not harmful for children, to some of the most hazardous employments to be found. It may be thought desirable to fix a uniform minimum age for the majority of these occupations, and possibly to provide for exceptions tending to raise or lower it for dangerous or very light and easy work.

Should the principle of a general age limit with certain exceptions be accepted, the next step would be to fix this age.

Examination of the various national laws shows that the ages of admission most often adopted in the case of non-industrial employment are twelve and fourteen years. The replies from Governments will probably be in favour of one or other of these ages. To fix the age at fourteen years would have in its favour that in Conventions so far adopted concerning the admission of children to employment the principle of fourteen years has been clearly laid down, and that the physical requirements of children are the same and the dangers of abuse as great—and sometimes even greater—in a number of the occupations under consideration. Finally, the Conventions already adopted, and the majority of national laws, require, or tend to require, school attendance up to fourteen years, a requirement of the utmost value for the protection of the working classes and society, and which an international regulation for the protection of workers should not even appear to weaken.

Those in favour of a lower limit will perhaps point out that in countries where the age limit is under fourteen a great number of restrictions are placed on the employment of children until they reach the age limit for compulsory school attendance. Thus in Great Britain, where the admission age for general employment is twelve years, there are very strict regulations concerning employment up to the age of fourteen years: in many occupations the employment of children is absolutely forbidden, while in other cases when light work may be allowed, there are strict safeguards such as the requirement of a medical certificate of fitness, licences and so on. It may be said that by another less direct method practically the same result is attained. The question will have to be decided whether, in order to obtain this result, it would be preferable for international regulation to adopt the simple and direct method (which also would have the advantage of emphasising the equal right of all children to adequate education and a

normal life, whatever the occupation to which they may be destined), or whether, in order to permit certain States whose laws regulate very strictly the conditions of work of children to ratify the Convention immediately, a lower age-limit than fourteen years ought not to be adopted and the application of the International Convention surrounded with precise and detailed safeguards such as are found in laws fixing a lower age-limit.

Without desiring to prejudice the decision, the Office believes it should be pointed out that the large number of ratifications of the three admission age Conventions so far adopted seems to indicate the wisdom of fixing fourteen years as the minimum age limit.

EXCEPTIONS

Consideration should be given in the next place to the exceptions which might be allowed to the general age limit once it has been decided on. As has already been pointed out, there are certain types of light work or occupations carried on under conditions admitting a departure from the strict application of the general measures proposed, more particularly should the age be fixed at fourteen, and not twelve, years.

Whatever the limit, the Conference will doubtless approach the question of exceptions with extreme caution as many types of employment, which seem easy for children, in reality expose them to dangerous physical and moral risks; for example, the employment of children to deliver messages or parcels leaves them in the streets without supervision of any kind while at work. It is possible that the question of an exemption may be called for in the case of work carried on in places where only members of the same family are employed, since an exception of this kind is made in the Conventions fixing the age of admission to industrial employment and on board ship. Here again the Conference will probably adopt a cautious attitude as even in this case there is considerable danger of abuse as regards non-industrial occupations. Doubtless the Conference will desire that the regulation should be such as to assure to children employed by their parents, or persons *in loco parentis*, the same protection as would be enjoyed by those employed by strangers.

There is another class of occupation in regard to which the question of exceptions would require to be considered, in spite of the fact that it is more dangerous for children than the average industrial occupation, namely, employment in, or in connection

with, public entertainments. By a strange contradiction, national law and practice combine severity with a considerable measure of indulgence in regulating this work. Its dangers arise from the prejudicial effect the work may have on the nervous system and imagination of children, the long hours, the unsatisfactory accommodation often found in theatres, and the moral risks involved. On the other hand, public taste, and the performance of plays in which children take a leading part in the cast, might make it difficult to prohibit such work, or even to impose strict conditions. The cinematograph industry affords a striking example of this. The risks inseparable from employment in film studios are well known. Nevertheless it frequently happens that the production of a successful film necessitates the employment of young children under the glare of projectors, and special exemptions for such work are allowed by the laws of certain countries. It is no doubt true that the public authorities endeavour to limit this practice to exceptional cases and prescribe safeguards of all kinds. Nevertheless, in the case of cinematograph or theatrical entertainments special authorisations to employ children are allowed in almost all cases "in the interests of art". The question will thus arise whether, for this reason, exceptions are to be allowed to the proposed international regulation. As will be seen later, this would result in the anomaly of a strict regulation of the employment of children in public entertainments combined with exceptions tending to lower the admission age for that occupation below that fixed for general employment. If the Governments consider it impossible to disregard so general a practice, it will be necessary to discuss the subject in detail and, in particular, to consider some means of ensuring, either by official boards or otherwise, that the "interests of art" are really at stake, and that the obvious interests of children and their health are not sacrificed to those of an undertaking of which the artistic nature may be less obvious.

Finally the Conference would perhaps desire to make an exception in the case of those Asiatic countries whose social conditions are such as to impede the immediate fixing of the same minimum age as for Western States. In certain Eastern countries, established custom and public approval often sanction the employment of very young children in non-industrial occupations, sometimes as young as eight years; and it is not to be expected that an advance of, say, six years, in the age could be made without profound public opposition and prejudicing the adoption of a reasonable measure of reform. It may therefore be asked whether, in the case of these

countries, the limit should not be fixed slightly below that generally applied, naturally on the assumption that this would be intended to constitute a first step, and in the hope that public opinion and the development of school attendance laws would enable the second step to be taken at an early date.

CONDITIONS REGARDING SCHOOL ATTENDANCE .

Since the object of regulating the age of admission to employment is to secure the physical and intellectual welfare of children, it will doubtless be felt necessary, if exceptions are admitted to the general rule, to consider the question of conditions designed to guarantee regular school attendance and to protect children from overwork.

The first of these conditions, and one found in the school attendance laws of nearly all countries, as well as in the Convention concerning the age of admission to agricultural employment, is that in no case may a child be employed during school hours. But this in itself is insufficient. It is not enough that the child should be free while the school is open; he should also attend in such a condition as will enable him to profit from the arrangements made for his education. Unrestricted employment in addition to school makes this difficult and may seriously compromise physical and mental development.

It is for this reason that work outside school is regulated in most countries. The regulations usually concern hours of employment on school and non-school days and during the holidays, and the hours in the morning and afternoon before or after which employment is forbidden. It is believed that regulations of this kind might be considered and that Governments should be consulted as to the maximum hours of employment allowed on school and other days, and the time of such employment in the morning and afternoon, so as to make sure that children have sufficient time for rest and recuperation. The most advanced legislation provides that the hours of employment shall not exceed two on school days, including not more than one hour before the school opens, and not more than five hours on non-school days and holidays; and it forbids employment of a child before 7 a.m. or after 8 p.m. Sunday work is either forbidden or restricted. Governments would have to decide if these provisions seem too rigid, especially that concerning holidays, which, it may be remembered, are provided in order that children

may have sufficient rest to assure the regular progress of their education.

To show the need for restrictions on employment out of school, it may be recalled that the exceptions mentioned above would affect a very considerable number of children. In particular family undertakings, to which one of these exceptions relates, are much more numerous in non-industrial occupations than in others. Restrictions of this kind have, moreover, been implicitly included in the Convention on the age of admission to agricultural employment, which required not only that the work should be performed outside school hours, but also that it should be of such a nature as not to prejudice attendance at school.

SPECIAL EMPLOYMENTS

While exceptions to the general rule may perhaps be made for certain kinds of light work, or work which is specially well supervised, there are some occupations which involve such risks that the Conference will possibly desire to impose specially strict provisions with regard to them.

Most laws have special provisions for dangerous occupations for which they prescribe safeguarding conditions. These take the form either of raising the age of admission, or imposing special conditions during a certain period after admission.

The principal employments in regard to which special conditions are prescribed are three in number: (a) street trading; (b) work in places where alcoholic liquor is sold; (c) work in public entertainments, including acrobatic performances and employment in cinematograph studios.

Street trading involves considerable risk, especially to morals, and relatively strict regulations concerning this occupation are found in most laws. Almost all laws which regulate the age of admission to general employment have a higher age limit for street trading, while several others, in which general employment is not regulated, have considered it desirable specially to regulate street trading. In the majority of cases the age limit exceeds the normal by two years; moreover, this often applies only to boys, since street trading for girls is usually more strictly regulated and sometimes even absolutely prohibited. In several countries the age is fixed at sixteen for boys and eighteen for girls.

What has been said regarding street trading applies equally to employment in places where alcoholic liquors are sold, with this

difference, that the number of States which have legislated on the subject is still higher, and the measures taken are even more strict. The age of admission is often fixed at eighteen, twenty, or even twenty-one years, usually for both sexes.

It may be pointed out that in many States, for example Belgium, Bulgaria, Canada and Greece, restaurants and hotels are covered by the special regulations applicable to places where alcoholic liquor is sold. Experience has shown that the moral risks inseparable from employment in hotels are considerable for young persons and children. The question might therefore be raised as to whether the Convention should not contain special provisions for hotels, restaurants and places where alcoholic liquors are sold.

The last question is that of entertainments. Existing legislation distinguishes two types of such employment: (1) acrobatic or other dangerous exhibitions; and (2) work on the stage or in studios for the preparation of cinematograph films, and selling programmes and other articles in places of entertainment.

As regards the first, there is a definite tendency to raise the age of admission, sometimes even to sixteen or eighteen years. The menace to the physical development of children employed in acrobatic feats and the danger of falls or accidents sufficiently explain the severity of existing regulations on the subject.

In the case of the second, the attitude of the various countries is, as has been pointed out, much less definite. Employment in public entertainments is considered to involve sufficient risks to health, morals and education to justify special precautions being taken, but there has been hesitation in forbidding altogether a type of employment which, in the opinion of many theatrical managers, is essential if certain classical pieces are to be produced in which children play important parts. In most countries the method adopted has not been to fix the minimum age of admission, but to issue a permit imposing fairly severe conditions for employment up to a certain age, usually higher than the normal age of admission. Examples of these conditions are: consent of the child's parent, physical fitness for the proposed performance, the safeguarding of earnings, satisfactory provision to be made to assure school attendance, measures to protect the child's health and morals, and that the employment of a child is necessary "in the interests of art or science"—a condition which, in the opinion of the Office, should be studied with particular care. In some cases a minimum age is prescribed, and it is then fixed sufficiently low not to hinder special permits "in the interests of art".

In addition to these two groups of occupations, there are other employments in regard to which special measures are found in certain countries; for example, in Australia, concerning race-courses; in Belgium and Spain, concerning dance-halls; in Bulgaria, concerning sanatoria, hospitals and bathing establishments; in Canada, billiard rooms and bowling alleys; in Chile, gaming rooms, etc.

To sum up, the question for consideration is whether, for these occupations which national laws treat as being more dangerous than the average non-industrial occupation, special treatment should be accorded by the proposed international regulation, and whether, as in existing legislation, specially severe measures should be prescribed in regard to them.

Should this question of principle be settled in the affirmative, it would remain to decide what measures should be adopted: whether there should be a single age of admission higher than the normal age, or whether there should be a different age for each group of occupations. Would it be desirable, for example, to fix an age limit of two or four years above the normal limit, according to whether it were fourteen or twelve years, for street trading and theatrical and cinematograph performances? Should an age limit of 100, third paragraph, ninth line:

For "six or eight years" read "four or six years". or acrobatic
a sold; and
should there be provision, in the case of theatrical performances, for occasional exceptions to permit the normal admission age to be reduced, should circumstances absolutely require it, "in the interests of art", such cases being carefully enquired into by bodies or individuals above all reproach of partiality?

An alternative might be to prescribe for certain of these occupations, up to a given age, special conditions such as medical examination, supervision of health and morals, etc. Finally, if it appears impossible to fix an age limit internationally, occupation by occupation, it might be possible to consider another solution, that of simply requiring the different States to take special legislative measures with regard to these occupations and fix ages for them on a national basis.

Each of these questions might form a point in the questionnaire.

APPLICATION

Without going into detail concerning the measures to be taken to enforce the provisions laid down, the question arises whether

it might not be desirable to prescribe in the Convention some general means of supervision. This procedure was followed in previous Conventions concerning age of admission to employment. The Conference may perhaps wish, as in former cases, to introduce a clause requiring every employer to keep a list of children and young persons employed by him, showing the date of their birth. Since much non-industrial employment consists of street trading and other outside occupations in which the place of employment is not fixed, the keeping of a register might be impracticable. It might be desirable to provide in such cases that instead of, or in addition to, the register the child should be required to carry while at work either a special document, such as a work book or card, showing the date of his birth, or a numbered badge referring to such document. .

Finally the Conference would perhaps desire to specify what information should be supplied by Governments in the annual reports which have to be submitted to the International Labour Office under Article 408 of the Treaty of Versailles.

* * *

The foregoing are the points on which, after examination of the various laws in force, the Office considers that the Governments might be consulted. The considerations outlined here have, in the opinion of the Office, brought out the essential questions which should be put in a questionnaire concerning international regulation of the age of admission of children to employment in non-industrial occupations.

The first of these questions relates to the form the regulation should take, namely, should it be a Convention or a Recommendation. The Office believes that the replies of Governments to this question may be influenced by the fact that that the regulation of the age of admission to industrial, maritime and agricultural employment has taken the form of Draft Conventions. The replies will thus show whether it is desired to give unity of form and principle to the body of regulations concerning the employment of children, whatever differences of application may be necessitated by the nature of the occupations to which these regulations apply.

The next question is that of the scope of the regulation and whether it is to be defined by a list of the occupations affected or, on the contrary, in general terms embracing all occupations

not covered by the Conventions of 1919, 1921 and 1923, with certain exceptions for definitely specified occupations.

The third question would concern the age of admission. Should it be fourteen years, the limit prescribed by a number of national laws and the three Conventions concerning age of admission of children to employment in industry, agriculture and work on board ship ? Or should it be twelve years as is the case in other socially well-advanced national laws, the application of the regulation being surrounded by a number of safeguards ? Or should it be some other age ?

If exceptions to the general rule be admitted, it appears to the Office that they should apply only in the following cases: work carried out in technical schools approved and supervised by the public authorities; work which children might, under safeguarding conditions, do in establishments employing only members of the same family, or at least members of the same household, living under the same roof, and under the protection of the head of the family; and, finally, operatic, theatrical and other performances and films " in the interests of art ", their artistic nature being duly examined and attested by a board of competent and disinterested authorities. Finally, a question should be put regarding Asiatic countries where custom admits an exceptionally low age and in which there is no prospect of applying immediately an age-limit of fourteen years.

Were such questions put, it is obvious that they would involve others, some concerning the fixing, in the case of children affected by these exceptions, of a maximum number of hours outside school, both on school days and on holidays, others concerning the fixing of a definite hour in the morning or afternoon before or after which the employment of children should be forbidden.

In most laws special precautions are taken to protect children engaged in work considered specially dangerous for their physical or moral welfare. It is suggested that the question should be raised of increasing the normal age of admission for such occupations, and of taking special precautionary measures such as medical examination, health and moral safeguards, and so on. It will then be necessary to define the occupations which are to be classed as specially dangerous. They may possibly include street trading, employment in places where alcoholic liquor is sold, including restaurants and hotels, employment in public entertainments, including acrobatic feats and other dangerous performances, and employment in cinematograph studios. There may possibly

be still other occupations which ought to be included. In any case it would then be necessary to define exactly what was meant by "street trading" (should it include selling newspapers or other articles in the street and in public places or from door to door, hawking, touting for the carrying of luggage, etc. ?), and by "public entertainments" (should this be any entertainment given in a place to which the public are admitted by payment, shows given in the streets or public places by itinerant performers, and should it include or exclude occasional entertainments for charitable purposes ?).

Another point to be considered is whether the international regulations—and possibly the Convention itself—should specify the measures to be taken to facilitate enforcement of its provisions. Here the two questions likely to arise will be whether the employer should be required to keep a list of the children and young persons he employs, showing date of birth, and whether children engaged in street trading or itinerant occupations should be required to carry a licence showing the date of their birth, or a badge relating to this licence.

The last question would be whether the Draft Convention should include a clause specifying what essential information should always be given in the annual reports to be furnished under Article 408 by Governments ratifying Conventions.

* * *

The foregoing are the general lines which, in the opinion of the Office, should be followed in preparing the questionnaire to be addressed to Governments on the subject of the proposed international regulation of the age of admission of children to employment in non-industrial occupations.

APPENDICES

APPENDIX I

OUTLINE OF THE STATE LAWS RELATING TO NON-INDUSTRIAL EMPLOYMENTS IN THE UNITED STATES OF AMERICA ¹

There is no Federal regulation of child labour in the United States. Two attempts were made in the past (one in 1916 and one in 1919, both subsequently declared to be unconstitutional) to set up Federal standards which would have to be observed by all States, but neither took account of employment outside industry. Nearly all States, however, impose restrictions relating to employment in stores, and a number regulate street trading and employment in public entertainments ² also. These restrictions mostly relate to age, education and physical fitness, and they are enforced by the "work permit" ³ system which is so characteristic a feature of child and juvenile labour laws in the United States.

EMPLOYMENT IN STORES, ETC.

In thirty-six States the minimum age for employment in stores, and sometimes for other occupations as well, is placed as high as fourteen years (in one of these it is sixteen for girls); in four it is fifteen years and in one it is sixteen years for young persons of both sexes. On the other hand one State has a minimum age of twelve years for such work and seven have no provisions other than, in two instances, one forbidding work during school hours. These minimum ages are shown in the table which follows ⁴, but it should be remembered that such a classification

¹ Information communicated by the Children's Bureau, U.S. Department of Labour in August 1929.

² No information was available at the time of writing as to the extent to which this occupation is regulated.

³ This is a certificate granted to children or juveniles who have reached the age at which employment is allowed but over whom the law still exercises a degree of supervision. Before a work permit will be granted proof of age usually has to be furnished as well as a certificate of physical fitness from a physician and the completion of a specified school grade. These requirements may be waived for special permits, such as those given for work during school vacations, or on account of poverty, or for some other special reason.

⁴ Based on a table prepared by the Children's Bureau of the U.S. Department of Labour showing the State child labour standards on 1 January 1926. The

can only be approximate owing to the difficulty of showing in a table the exemptions which many State laws allow. These laws are enforced through the work permit system; this is administered in most States by the local school authorities and through the inspection of places of employment by some State agency, usually the Department of Labour.

MINIMUM AGE FOR EMPLOYMENT IN STORES, ETC.¹

State	Age	Scope of law	Exemptions allowed
Alabama	14	Gainful occupations.	Boy 12 or over for work in mercantile establishments during school vacations.
Arizona	14	Stores.	Boy 10-14 may obtain permit for non-harmful work outside school hours.
Arkansas	14	Remunerative occupation.	Employment by parent allowed during school vacation.
California	15	Stores.	Certain exemptions for work outside school hours and in vacation.
Colorado	14	Stores.	Exemptions for child over 12 on permit during school vacation.
Connecticut	14	Stores.	—
Delaware	14	Any establishment or occupation.	Permit for boy 12 or over for non-harmful occupation, or any child on account of poverty.
District of Columbia	14	Stores.	Permit for child over 12 out of school on account of poverty.
Florida	12	Stores.	—
Georgia	—	No provision.	—
Idaho	14	Stores.	Child over 12 during school vacation of 2 weeks or more.
Illinois	14	Stores.	—
Indiana	14	Gainful occupation.	—
Iowa	14	Stores.	Law only applies to stores employing 9 or more persons; family undertakings exempt.
Kansas	14	Any business or service.	Work outside school hours.
Kentucky	14	Stores.	—
Louisiana	14	Stores.	—
Maine	15	Any business or service.	Work outside school hours.
Maryland	14	Stores.	—
Massachusetts	14	Stores.	—
Michigan	15	Stores.	Permit for work outside school hours may be obtained at 14.
Minnesota	14	Any business or service.	Work outside school hours.
Mississippi	14	Stores.	Certain exemptions allowed (no particulars), not limited to work outside school hours.
Missouri	14	Gainful occupation.	Family undertakings.
Montana	—	— ²	—
Nebraska	14	Stores.	—

¹ In addition to the restrictions shown in the table, in every State the compulsory school laws would, if enforced, restrict the employment of children during school hours.

² Montana: there are no regulations for employment in stores, but no child under sixteen may be employed in any occupation during school term without a work permit.

³ New York: by compulsory school law, age fourteen for any business or service.

(Footnote continued from page 105.)

table has been compared with information furnished to the Office by the Children's Bureau in August 1929 and revised in two instances (Mississippi and Vermont).

MINIMUM AGE FOR EMPLOYMENT IN STORES, ETC. — (*continued*)

State	Age	Scope of law	Exemptions allowed
Nevada	14	Any business or service.	Work outside school hours.
New Hampshire	14	Stores.	—
New Jersey	14	Mercantile establishments.	—
New Mexico	14	Gainful occupation.	Work outside school hours.
New York	14 ³	Mercantile establishments.	Law does not apply to places with population of under 3,000.
North Carolina	14	Stores.	Boy 12-14 may be employed outside school on permit and on certain conditions for limited time in school hours.
North Dakota	14	Stores.	—
Ohio	16	Stores	Child 14-16 certain occupations outside school and in vacation, on permit.
Oklahoma	—	—	—
Oregon	14	Stores.	Child 12 or over during school vacations of 2 weeks or over in non-harmful work, on permit.
Pennsylvania	14	Any establishment or occupation.	—
Rhode Island	15	Business establishment.	Child 14-15 in school vacations and outside school hours, on permit.
South Carolina	—	—	—
South Dakota	14	Stores.	Work out of school hours. Any child may be exempted on account of poverty.
Tennessee	14	Any business or service.	Work out of school hours.
Texas	—	—	—
Utah	—	—	—
Vermont	14	Stores.	Certain exemptions allowed (no particulars), not limited to work outside school hours.
Virginia	14	Gainful occupation.	—
Washington	Boy 14 Girl 16	Stores.	Child over 12 may obtain permit from judge of superior court on account of poverty.
West Virginia	14	Gainful occupation.	Boy 12 or over in mercantile establishment and office outside school hours on permit.
Wisconsin	14	Stores.	Child over 12 may be employed on permit during school vacations in store (not drug store), office, mercantile establishment, warehouse or public messenger service.
Wyoming	—	Stores.	Work in stores outside school hours.

STREET TRADING

Eighteen States and the District of Columbia have laws requiring children selling papers or doing other work in the street to secure permits or badges. Only nine, however, have State-wide laws affecting boys¹ engaged in independent street work. These laws have proved much more difficult to enforce than those relating to child labour in factories, stores and other establishments; moreover, though child labour in street

¹ This summary does not include laws prohibiting the work of girls in street trades, for whom a higher minimum age is usually fixed than for boys.

trades may be controlled by local ordinances or police regulations and is so controlled in some places, State law is necessary in order that minimum protection may be effective throughout the State.

Laws specifically governing the work of boys in street trades consist usually of regulations fixing a minimum age, requiring permits and badges for young street workers, and prohibiting their work at night. The following outline¹ classifies the States according to the ages under which work is prohibited, and according to whether or not a permit or badge is required. The age periods during which permits or badges are required, and the localities to which the law applies, are given in parenthesis after the name of the State.

14 years: Permit or badge required, one State: Kentucky (14-16; certain cities).

12 years: Permit or badge required, eleven States and the District of Columbia: Alabama (12-16; State-wide); Delaware (12-16; State-wide)¹; District of Columbia (12-16); Maryland (12-16; certain cities); Massachusetts (12-16; State-wide); Minnesota (12-16; certain cities); New York (12-17; certain cities); North Carolina (12-16; State-wide); Rhode Island (12-16; certain cities); Utah (12-16; certain cities); Virginia (12-16; State-wide); Wisconsin (12-17; State-wide).

12 years: No permit or badge required, one State: Pennsylvania (State-wide).

11 years: Permit or badge required, one State: Iowa (11-16, with exemptions, certain cities).

10 years: Permit or badge required, one State: Arizona (10-14, State-wide)².

10 years: No permit or badge required, three States: California (certain cities); Florida (certain cities); New Hampshire (State-wide).

There is no specific street trades law applying to boys in thirty States, as follows:

Arkansas
Colorado³
Connecticut
Georgia
Idaho
Illinois
Indiana
Kansas
Louisiana
Maine
Michigan
Missouri
Mississippi
Montana
Nebraska

Nevada
New Jersey⁴
New Mexico
North Dakota
Ohio
Oklahoma⁵
Oregon
South Carolina
South Dakota
Tennessee
Texas
Vermont
Washington
West Virginia
Wyoming

¹ "Provisional" permit provided for in child labour law might be used for street trades; the specific street trade law requiring badges is applicable to the city of Wilmington on y.

² The minimum age is ten in "cities"; the State-wide child labour law provides for "licence" between ten and fourteen years.

³ The minimum age for girls in certain street trades is ten years.

⁴ In New Jersey a decision of the State Attorney-General implies that the provision for "age and working certificates" formerly permitting children between ten and fourteen years to work in street trades is no longer in force.

⁵ In Oklahoma the minimum age for girls in certain street trades is sixteen years.

¹ The outline does not include: (a) provisions applying to boys delivering newspapers on regular routes; (b) the provisions of city ordinances; (c) delinquency and dependency laws sometimes applying to street traders; (d) laws relating to messengers and delivery boys. For further details as to street trading laws, and for an analysis of street trades ordinances, see Chart No. 15, in *State Laws and Local Ordinances regulating the Street Work of Children*, published by the Children's Bureau, U.S. Department of Labour, Washington.

GENERAL EMPLOYMENT

General employment is indirectly restricted by laws requiring attendance at all-day schools or attendance at part-time schools.

Every State now has a compulsory school attendance law, but in Mississippi certain counties are exempted. In twenty-eight States attendance is required throughout the State up to the age of sixteen, and in fourteen States the upper age limit is seventeen or eighteen years, at least in certain localities. The school law of most States allows children above a certain age (usually fourteen) to be excused to go to work, while many laws have exemptions which weaken the effect of the compulsory school attendance provisions.

The following outline classifies the States according to the age up to which attendance is required (all laws have exemptions, however):

18 years in 8 States:

Idaho	Oklahoma
Montana ¹	Oregon
Nevada	Utah
Ohio	Washington ²

17 years in 6 States:

Delaware (outside the city of Wilmington, in Wilmington 16)
 Maine
 Maryland (17 outside Baltimore, 16 in Baltimore)
 North Dakota
 South Dakota
 Tennessee

16 years in 28 States and the District of Columbia.

Alabama	Kansas	New Jersey
Arizona	Kentucky	New Mexico
California	Louisiana ³	New York ⁴
Colorado	Massachusetts	Pennsylvania
Connecticut	Michigan	Rhode Island
District of Columbia	Minnesota	Vermont
Florida	Mississippi ⁵	West Virginia
Illinois	Missouri	Wisconsin
Indiana	Nebraska	Wyoming
Iowa	New Hampshire	

15 years in two States

Arkansas	Virginia ⁶
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14 years in four States:

Georgia	North Carolina ⁷	South Carolina
Texas		

¹ In Montana, seventeen in first-class districts where continuation schools established; elsewhere sixteen.

² In Washington, seventeen where continuation schools established; elsewhere sixteen.

³ In parish of Orleans, elsewhere fourteen.

⁴ In cities the Board of Education is given power to require the attendance of minors sixteen to seventeen years if they are not employed.

⁵ Certain counties exempted.

⁶ School attendance required between seven and fifteen years of age; local school board may change this to between eight and sixteen.

⁷ Not in force in any city or county having a higher limit.

Within the past few years a number of laws have been passed requiring children between fourteen and sixteen years of age, and in some States up to eighteen years of age, to attend part-time continuation schools.

Twenty-seven States now have laws of this type, but only twenty of them have provisions requiring schools to be established under certain specified conditions. The attendance varies from four to eight hours daily, to be counted as part of the child's legal working hours.

EMPLOYMENT CONDITIONS

The conditions most often required for the issue of a work permit, and which tend to raise the age for admission, are the attainment of specified standards of education and health.

Education. — One of the primary reasons for restrictions on child labour is that every child may have the education necessary to fit him for his duties as a citizen. An educational standard raises the age for children who have not secured a minimum of education even though they may have reached the minimum age at which the law allows them to work.

Sixteen States and the District of Columbia require completion of at least the eighth grade before a regular employment certificate will be issued, but seven of these permit exemptions under certain conditions. Fourteen States have a lower grade standard than this; while the remaining seventeen either have no definite grade standard¹; or only demand that before going to work the child be able to read and write (usually in English) and, in some cases, that he have a knowledge of elementary arithmetic.

Health. — The importance of physical examinations is becoming more and more generally recognised in the United States. It is considered that they are particularly important in the case of children under eighteen years of age, as during the years from about twelve to maturity the child's body undergoes rapid growth and change, and if he is obliged at this period to adjust himself to the new demands of occupational life he is subjected to a double mental and physical strain.

The majority of States have made some provision in regard to the child's physical ability to work. In twenty-five States and the District of Columbia a physical examination is compulsory before a work permit will be issued; in eight the examination is optional with the permit-issuing officer, while in the remaining fifteen there is no provision to require examination by a physician except, in some States, to determine age.

¹ One of these States, however, has a fifth-grade requirement for special permits issued on account of poverty to children below the regular minimum age.

APPENDIX II

SPECIMEN OF LOCAL BY-LAWS USED IN ENGLAND AND WALES TO REGULATE NON-INDUSTRIAL EMPLOYMENT

City of Liverpool

THE EDUCATION ACT, 1921

*By-Laws*¹

I. *Interpretation of Terms*

1. Throughout these By-laws and Regulations the following words and expressions shall have the meanings hereby respectively assigned to them, unless such meaning be repugnant to or inconsistent with the context or subject matter in connection with which such words or expressions occur, namely:

(a) The expressions "child" means a person under the age of fourteen years.

(b) The expression "young person" means a person under sixteen years of age who is no longer a child.

(c) The expression "guardian" used in reference to a child includes any person who is liable to maintain or has the actual custody of the child or young person.

(d) The expressions "employ" and "employment" used in reference to a child include employment in any labour exercised by way of trade or for purposes of gain, whether the gain be to the child or any other person.

(e) The expression "street trading" includes the hawking of newspapers, matches, flowers, and other articles, playing, singing, or performing for profit, shoe-blackening, and any other like occupation carried on in streets or public places.

(f) "Industrial work" means any work in which manual labour is exercised by way of trade, or for purposes of gain in making, altering, repairing, ornamenting, finishing, adapting for sale, or cleaning any article.

(g) The expression "shop" includes any premises or place where retail trade (including the business of a barber) is carried on.

(h) The expression "local authority" means the Local Education Authority for the purposes of Part I of the Education Act, 1921.

¹ These by-laws were confirmed by the Secretary of State on 31 December 1923; they are typical of those issued by local authorities in England and Wales.

II. *Prohibited Employments*

2. A child shall not be employed in any of the following occupations:

(a) As a lather boy, or in a similar occupation, in a barber's or hairdresser's shop.

(b) In the kitchen of any hotel, cook shop, eating house or refreshment room.

(c) As a marker or attendant in any billiard or bagatelle saloon, or other place licensed for games, or in any registered club or premises licensed for the sale of intoxicating liquors.

(d) In or in connection with the sale of intoxicating liquors.

(e) In selling programmes or refreshments or other articles, or in taking checks or tickets, or in shifting scenery in any theatre, cinematograph hall, or other place of public entertainment.

(f) In the collection or sorting of rags or refuse.

(g) As an attendant or assistant in any shop, hall, booth or tent used for the purpose of public amusement by means of automatic machines, mutoscopes, shooting ranges, games of chance or skill, or similar devices.

(h) In any slaughter-house.

(i) In the cleaning of windows.

III. *Regulation of Employment*

3. A child under the age of twelve years shall not be employed.

4. A child between the ages of twelve and fourteen shall only be employed:

(a) On *school days* between the hours of 5 p.m. and 7 p.m., except in the circumstances and under the conditions provided by By-law No. 6.

(b) On *Saturdays* or on any week-day when school is not open for not more than five hours, and not before 7 a.m., nor after 8 p.m., provided that no child shall be employed between the hours of 1 p.m. and 6 p.m.

(c) On *Sundays* either (a) as a chorister in connection with a recognised religious service, or (b) in the sale or delivery of milk after 7 a.m. and before 10 a.m., but for not more than two hours.

5. A child between twelve and fourteen shall not be employed in the sale or delivery of newspapers or milk, nursing or other domestic work, in running errands, carrying or delivering goods or parcels, in the custody or working of any vehicle used for the conveyance of goods, or in connection with any shop or office, or in any coalyard, or in industrial work at home, or in agricultural work, except subject to the following conditions:

(a) The employer shall send a written notification to the local authority stating his own name and address and the name, address, and date of birth of the child, the occupation in which, and the place at which the child is employed, and the times at which employment begins and ends. Such notice shall be sent before 1 January 1924, or, in the case of a child not so employed until after that date, within twenty-four hours after the employment begins. The employer shall send to the local authority on 1 January 1924, and thereafter at intervals of every six months a list showing the same particulars in respect of each child then employed by him.

(b) The local authority shall issue to each child in respect of whom such notice is given, a card, called in these By-laws an "*Employment Card*", and after such card is issued no such child shall be employed at any time unless he has such card with him. He shall produce the card for inspection if and when required to do so by any authorised Officer of the local education authority.

(c) The local authority shall cause to be entered on such card the name and address and date of birth of the child, the occupation in which, and the times between which, the employment of such child is permitted. The times so entered shall be such as the employer may choose, provided they are such as are allowed by By-laws Nos. 4 and 6. The times may be altered by the local education authority from time to time on the application of the employer.

(d) No child to whom an *Employment Card* has been issued in accordance with the provisions of these By-laws shall be employed, except within the times entered by the local education authority on such card.

(e) The employer shall keep affixed in a conspicuous position in the place in or in connection with which the child is employed, a notice card showing the name, address, and date of birth of the child, the occupation in which, and the precise times within which, the child is employed on School Days, on Sundays, and on Week Days when the School is not open.

(f) Every person employing a child out of doors or in any of the occupations specified in By-law No. 5, shall see that such child is provided during the course of such employment with efficient waterproof footwear and a sufficient waterproof garment to protect the child from injury to health from inclement weather.

6. Subject to the foregoing provisions, a child between the ages of twelve and fourteen may be employed before school hours for not more than one hour, beginning not earlier than 7 a.m. in delivering newspapers, or milk, or in nursing or other domestic work, subject to the following conditions:

(a) A child shall not be so employed unless within thirty days after these By-laws come into operation, or, in the case of a child not so employed until after that date unless within fourteen days from the date when the employment begins, the child has obtained from the School Medical Officer a *Certificate* that such employment will not be prejudicial to his health or physical development, and will not render him unfit to obtain the proper benefit from his education, and the certificate has been produced to and endorsed by his employer. No charge shall be made for such certificate.

(b) Such child shall only be employed after school hours in any occupation for a period of not more than one hour, ending not later than 7 p.m.

7. A child employed in a place of public entertainment, in pursuance of a licence under the Education Act, 1921, shall not be employed on the day or days of, or the day following, such employment, in any other employment.

IV. *For the Regulation of Street Trading by Young Persons*

8. A girl under the age of sixteen, and a boy under the age of fourteen, shall not be employed or engage in Street Trading.

9. A boy under the age of sixteen shall not be employed or engage in Street Trading before 7 a.m. or after 8 p.m. on any Week Day between 1 October and 31 March, and shall not be so employed or engaged before 7 a.m. or after 9 p.m. between 1 April and 30 September, and not at any time on a Sunday.

10. A boy under the age of sixteen engaged in Street Trading shall not enter any premises licensed for public entertainment, or for the sale of intoxicating liquor for consumption on the premises, for the purposes of trading or delivering goods.

11. A boy under sixteen shall not be employed or engage in Street Trading unless furnished with a *Licence* and a *Badge* bearing his licence number from the local education authority.

12. A licence to engage in Street Trading shall not be refused by the local authority to any boy between the ages of fourteen and sixteen applying for it, except on one of the following grounds:

(a) That the applicant is by reason of physical or mental deficiency unfit to trade in the streets.

(b) That the applicant has not his parent's or guardian's consent to his being so employed.

(c) That his licence has been previously revoked.

(d) That he is not regularly attending a continuation class, as and when required by law.

13. Licences shall be granted to expire on 31 December in each year.

14. Every licensed person while engaged in street trading shall wear in the appointed way the badge prescribed by the local authority.

15. No charge shall be made by the local authority for any *Licence* or *Badge*, but a deposit of one shilling and sixpence (to be refunded on the return of the badge) shall be paid on the issue of a badge, provided that the local authority may forgo the payment of such deposit when the circumstances of the applicant render it desirable.

16. No licensed person shall, while trading, employ or be assisted by any unlicensed person under the age of sixteen years.

17. No licensed person shall in any street or public place tout or importune to the annoyance or obstruction of any passenger or pedestrian.

18. No licensed person shall trade in the streets unless decently and sufficiently clothed.

19. The local authority may suspend or revoke any licence if the holder:

(a) is convicted of any offence;

(b) commits a breach of any of these By-laws;

(c) uses the licence as a cloak for begging, immorality, imposition, or other improper purpose;

(d) alters, defaces, lends, sells, pawns, transfers, or otherwise disposes of his badge;

(e) fails to notify the Local Authority within one week of any change of his residence;

(f) fails to attend regularly at a continuation class, as and when required by the Law.

(Conclusion and penal clauses.)

APPENDIX III

SPECIMEN LICENCES RELATING TO THE EMPLOYMENT OF CHILDREN IN STREET TRADING AND PUBLIC ENTERTAINMENTS

STREET TRADING LICENCE

City of Liverpool ¹

CHILD TRADING LICENCE No.

I certify that
of is licensed by the
Watch Committee to trade in the streets of the City, under the provisions
of the Education Act, 1921 (section 91).

Description of Child

Age Years. Height ft ins.
Complexion..... Eyes.....
Hair..... Figure..... Marks.....

CERTIFIED this day of..... 19.....

(Signature of Chief Constable)

This Certificate will expire on the 31st Day of December, 19.....
(Badge No.)

YOU MUST NOT SELL ANYTHING IN THE STREETS ON SUNDAY

*Instructions for Children Licensed to Sell Newspapers, Matches and Other
Articles in the Streets*

(These reproduce, in simple language, the provisions of the by-laws
relating to street trading.)

¹ The experiment of licensing child street traders and obliging them to wear
a badge was first tried in Liverpool.

**Form of Licence used throughout England and Wales in respect of the
Employment of Children in Public Entertainments**

LICENCE

The Council in pursuance of an application relating to (hereinafter called the child, whose photograph is attached hereto), residing at in the area for which the Council are the Local Authority for Elementary Education, hereby grant to a Licence for the child to be employed and take part in a series of entertainments known as..... for a period of from the day of 19, subject nevertheless to the following conditions and restrictions:

Note. — The period inscribed above must not exceed six calendar months.

1. The child shall leave the theatre not later than 15 minutes after the end of his (her) part in the entertainment, and in no event later than p.m.

Note. — The time mentioned in this condition must not be later than 10 p.m. unless the Local Education Authority are satisfied that the retention of the child up to a later hour is absolutely necessary for the performance, in which case the Authority may extend the time for leaving the theatre to not later than 11 p.m., subject to such conditions as they think necessary for the welfare of the child.

2. The child shall be granted the following holiday¹ during the currency of the licence:

Note. — The period of holiday, if any, required by the Local Education Authority must be inserted.

3. The child shall not be employed in or take part in any entertainment unless the School Medical Officer of the Local Education Authority certifies that he (she) may be so employed without prejudice to his (her) health or physical development, and that the employment will not render the child unfit to obtain the proper benefit from his (her) education. For that purpose the child shall be submitted to examination by the School Medical Officer after the first examination at intervals of not less than three calendar months. A Local Education Authority may also direct that the child shall be examined by their School Medical Officer on such other occasions as they think proper, and any such directions shall be complied with. For the purposes of this Article the examination shall be by the School Medical Officer of the area in which the licence is granted or by the School Medical Officer in any area in which the licence is to take effect.

¹ This refers to the annual holiday. As originally drafted a twelve weeks' holiday was specified: it was finally decided, however, not to specify a minimum period but to leave Local Educational Authorities to determine the length. The Board of Education, in a separate circular, recommended twelve weeks.

4. The child shall not be employed in any place of entertainment unless that place is approved for the purpose by the Local Education Authority of the area in which it is situated, and in determining whether such approval shall be given the Authority shall have regard to the provision of proper dressing rooms exclusively allocated to the children to be employed and of satisfactory and suitable sanitary arrangements, and generally to the health, comfort and moral protection of the children.

5. The child, if not living with his (her) parent or other person *in loco parentis*, shall not be employed unless he (she) is in the care of a matron, governess, or other fit person, who shall be responsible for his (her) welfare, and shall accompany him (her) to and from the place of entertainment, and shall be the medium through which any communication, written or otherwise, to him (her) at the place of entertainment shall be made. Such persons must be approved either by the Authority granting this licence or by the Authority of some area in which it takes effect. The child, if living with his (her) parent or other person *in loco parentis*, shall be accompanied home from the place of entertainment by some fit person.

6. The child shall not be employed on any day unless he (she) is living under conditions and in premises approved by the Local Education Authority of the area in which the entertainment is to take place, and the Authority may attach such reasonable terms to their approval as they think fit: provided that, if the child lives with his (her) parent or other person *in loco parentis* this condition shall apply to the child only if on tour.

7. The child shall not without the permission of the Local Education Authority, or such officer of that Authority as the Authority shall appoint, take part in an entertainment during any school term on any day other than Saturday unless he (she) has made two attendances on that day at a school approved for the purpose by the Authority or has been receiving education from a teacher approved for the purpose by the Authority granting this licence in accordance with a time-table similarly approved: Provided that such time-table may be modified with the approval of the Local Education Authority of any area in which the child takes part in an entertainment. In this Article the expression "school term" means the school term as fixed for the Public Elementary Schools in the area in which the entertainment takes place, or for any other period accepted by the Local Education Authority of that area as the school term for any particular child.

8. The person in charge of the child shall keep such records of the scheme of work on which he (she) is engaged at school and of the attendance and work done at school as may be required by the Board of Education, and these records shall be produced if required to the Authority of any area in which the licence takes effect or to the teacher of a school which the child attends.

9. This licence shall be produced at the place of entertainment at all reasonable hours when required by an authorised officer of the Local Education Authority of the area in which it takes effect.

Given under the seal of the Council this day
of 19

APPENDIX IV

TABULAR SUMMARY

This summary is intended to show at a glance the non-industrial employments dealt with in this report and the normal age for admission to these employments. The age in the column headed "General Employment" is that applicable to any kind of work for which a higher limit is not shown. The absence of data from a column does not imply that the employment in question is not regulated; for further information in such cases reference should be made to the summaries of legislation in Part II. Exemptions tending to lower the ages given in the table are not shown; they are however indicated in the tables in Part I, and are fully dealt with in the summaries in Part II. The normal minimum ages for industry and compulsory school attendance are given for purposes of comparison; nearly all school laws forbid employment during school hours.

No relevant laws were found for the following: Albania, Australia (Victoria and Tasmania), China, Cuba, Dominican Republic, Ethiopia, Haiti, Honduras, India, Japan, Liberia, Lithuania, New Zealand, Nicaragua, Paraguay, Persia, Salvador, Siam and Uruguay.

TABULAR SUMMARY (continued)

State	Normal age for		General employment (Table I)	Commerce (Table II)	Entertainments (Table III)		Cinema studios (Table III)	Street trading (Table IV)		Bars, etc. (Table V)	Miscellaneous employments (Table VI)
	School	Industry			non-dangerous	dangerous		Boys	Girls		
Chilo	15	14	14	14	14	16	—	—	—	21	Occupations dangerous to morals 21. Unhealthy work 16.
Colombia	13	13	14	—	—	—	—	—	—	14	
Czechoslovakia	14	14	12	—	14	—	—	—	—	14	
Denmark	14	14	14	—	12	Boy 16 Girl 18	—	14 3	14 3	14	
England and Wales	14	14	12	—	—	—	—	13	13	20	
Estonia	14	14	—	14	—	—	—	—	—	Girl 18	Baths 14. Occupations dangerous to morals 21. Delivery work 12.
Finland	14	14	—	13	12	16	—	—	—	Boy 12 Girl 13	
France	13	13	—	12	13	—	13	—	—	12	
Germany	14	14	—	12	14	—	—	—	—	21	Street cleaning 21.
Greece	12	14	—	12	14	—	—	14	14	18	
Guatemala	14	15	—	15	—	—	—	15	18	21	
Hungary	12	14	14	—	—	—	—	—	—	14	
Irish Free State	14	14	—	—	11	Boy 16 Girl 18	—	14 3	14 3	18	Itinerant performances 15.
Italy	12	12	—	—	15	16	15	—	—	21	
Latvia	14	14	14	—	—	—	—	—	—	—	
Luxemburg	13	14	—	—	—	—	—	14	14	—	
Netherlands	14	14	14	—	—	18	—	—	—	Male 18 Female 21	Weight raising, etc.
Norway	15	14	—	—	16	18	—	—	—	18	Driving vehicles 21. Unhealthy occupations 18. Driving vehicles 14.
Panama	15	14	—	14	—	—	—	—	—	16	
Peru	14	14	14	14	14	16	—	14	14	16	
Poland	15	15	15	15	—	—	—	—	—	—	
Portugal	12	12	—	—	—	16	—	—	—	4	
Rumania	16	14	—	14	4	4	—	4	2	16	
South Africa, Union of	—	—	—	14	—	16	16	12	12	16	Dangerous to morals 16.

120, column General employment, Sweden:

For "15" read "12".

Switzerland	14 or 15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	Regulations
Aargau	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Appenzel A.-Rh.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Appenzel I.-Rh.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Basle Town	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Café-concerts 15. Cinema halls 18.
Basle Rural	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Berne	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Cinema halls 20.
Fribourg	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Geneva	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Glarus	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Grisons	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Lucerne	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Neuchâtel	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Schaffhausen	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Schwyz	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Solothurn	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
St. Gall	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Shows or fairs 12. Cinema halls 18.
Ticino	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Thurgau	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unterwalden-Ob.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unterwalden-Nid.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uri	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Valais	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Vaud (Lausanne)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Zug	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Zurich	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Venezuela	14	14	—	—	—	—	—	—	—	—	—	—	—	—	—	Cinema halls 20.
Yugoslavia	10	14	—	—	—	—	—	—	—	—	—	—	—	—	—	Cinema halls 18. Cinema halls 18. Dangerous to morals 21.

1 Municipal by-laws may regulate in respect of children 13 years old.

2 Municipal by-laws may regulate in respect of children 16 years old.

3 Local authorities may increase, by by-laws, to age of 16.

4 Local authority may regulate (no age limit prescribed).

5 Local authority may regulate for boys of 12 and over; forbidden for girls.

6 Work in bowling alleys may be regulated, males 12, females 18.

APPENDIX V

BIBLIOGRAPHY OF LAWS RELATING TO THE ADMISSION OF CHILDREN TO NON-INDUSTRIAL OCCUPATIONS

The following is a list of legislative texts used in the preparation of the present report. The countries have been arranged in alphabetical order and should there be a translation in the *Bulletin of the International Labour Office*, of Basle, or the Office's *Legislative Series* the reference is given.

ARGENTINA

Act No. 11317 to regulate the employment of women and young persons. Dated 30 September 1924. (Translation in Legislative Series, 1924, Arg. 1.)

AUSTRALIA

New South Wales

The Child Welfare Act, No. 21, 1923. Authorised text.

Queensland

The State Children Act of 1911. 2 Geo. V, No. 11. The Queensland Statutes, Vol. II, p. 5076.

The State Children Acts Amendment Act of 1928. 19 Geo. V, No. 19. The Queensland Statutes, Vol. XIV, p. 12139.

Amended notification to approve Regulations in pursuance of the State Children Acts, 1911 to 1928. *Queensland Government Gazette*, No. 35, 10 August 1929, p. 478.

South Australia

The Children's Protection Act 1899. No. 730, 1899. Authorised text.
The Children's Protection Act Amendment Act 1918. No. 1334, 1918. Authorised text.

Western Australia

The Factories and Shops Act 1920. No. 44 of 1920. Authorised text.
The Factories and Shops Amendment Act 1921. No. 4 of 1922. Authorised text.

The Child Welfare Act 1907-1927. No. 31 of 1907. Consolidated text in Appendix to Statutes of Western Australia, 18 Geo. V, 1927.

AUSTRIA

Act respecting child labour. Dated 19 December 1918. (Translation in Bulletin of the International Labour Office, of Basle, Vol. XIII, 1918, p. 19.)

Regulations concerning work books for children dated 17 May 1919.

Administrative Instruction of the State Department for Social Welfare in agreement with the State Departments for the Interior, Education, Justice, Finance, Agriculture and Forestry, Commerce, Industry and Works, respecting the supervision of child labour. Dated 23 January 1920. (Translation in Legislative Series, 1920, Aus. 17.)

Decree of 20 May 1920 (public entertainments).

Act relating to theatrical contracts of service (Actor's Act). Dated 13 July 1922. (Translation in Legislative Series 1922, Aus. 3.)

Federal Act to amend the Act of 19 December 1918, St. G. Bl., No. 141, respecting the employment of children. Dated 10 July 1928. (Translation in Legislative Series, 1928, Aus. 3 E.)

BELGIUM

Royal Order: Employment of Women and Children. Co-ordination of legal powers in the matter. Dated 28 February 1919. (Translation in Legislative Series, 1919, Bel. 2.)

Act to provide for an eight-hour day and a forty-eight hour week. Dated 14 June 1921. (Translation in Legislative Series, 1921, Bel. 1.)

Act dated 28 May 1888 concerning the protection of children employed in itinerant callings.

Royal Order under the Act respecting the employment of women and children; prohibition of the employment of children under the age of 16 years in theatres, music halls, dancing establishments and night bars. Dated 27 April 1927. (Translation in Legislative Series, 1927, Bel. 2.)

BOLIVIA

Supreme Decree concerning the protection of women and children in industry. Dated 21 September 1929. (Translation in Legislative Series, 1929, Bol. 2.)

Regulations for the application of the Supreme Decree of 21 September 1929 (published February 1930). (Translation in Legislative Series, 1929, Bol. 2.)

BRAZIL

Decree No. 17943 A, to consolidate the Acts for the relief and protection of children and young persons. Dated 12 October 1927. (Translation (extracts) in Legislative Series, 1927, Braz. 1.)

BULGARIA

Act respecting the health and safety of workers, No. 25. Approved 5/18 April 1917. (Extracts translated in Bulletin of the International Labour Office of Basle, Vol. XIII, 1918, p. 26.)

CANADA¹

Alberta

The Factories Act. Statutes of Alberta, 1926, Chapter 52. (Reprinted in Legislative Series, 1926, Can. 1.)

The Children's Protection Act. Revised Statutes of Alberta, 1922, Chapter 217, Vol. III, p. 2673.

The School Attendance Act. Revised Statutes of Alberta, 1922, Chapter 55, Vol. I, p. 736.

The Billiard Room Act. Revised Statutes of Alberta, 1922, Chapter 229, Vol. III, p. 2800.

British Columbia

The Shops Regulation Act. Revised Statutes of British Columbia, 1924, Chapter 232, Vol. III, p. 3089.

The Infants Act. Revised Statutes of British Columbia, 1924, Chapter 112, Vol. II, p. 1387.

The Pool-rooms Act. Revised Statutes of British Columbia, 1924, Chapter 196, Vol. II, p. 2707.

The Municipal Act. Revised Statutes of British Columbia, 1924, Chapter 179, Vol. II, p. 2317.

Manitoba

An Act to amend "The Shops Regulation Act". Statutes of Manitoba, Consolidated amendments 1924, Chapter 180, p. 1336.

Act respecting the Welfare of Children. Statutes of Manitoba, *op. cit.*, Chapter 30, p. 149.

An Act to amend the Child Welfare Act. Statutes of Manitoba, 1928, Chapter 4, p. 5.

An Act to amend the Child Welfare Act. Statutes of Manitoba, 1929, Chapter 6, p. 31.

The Government Liquor Control Act. Statutes of Manitoba, 1928, Chapter 31, p. 54.

New Brunswick

Revised Statutes of New Brunswick, 1927. Extracts reprinted in *Labour Legislation, etc.*, p. 192 (as regards the Compulsory attendance at School Act) and p. 196 (as regards the Children's Protection Act).

Nova Scotia

The Education Act (1918). Revised Statutes of Nova Scotia, Chapter 60, 1923, Vol. I, p. 498.

The Children's Protection Act (1919). Revised Statutes of Nova Scotia, Chapter 166, 1923, Vol. II, p. 1457.

1930 Amendment to Children's Protection Act, *Labour Gazette*, Ottawa, August 1930.

¹ The references are to the Provincial Revised Statutes when these are in the possession of the Office, otherwise they are to *Labour Legislation in Canada as existing 31 December 1928* (abbreviated *Labour Legislation, etc.*), published by the Department of Labour, Ottawa. It should be noted that in Canada Statutes are cited by the date of revision and not by the date of original enactment as in the other Dominions and in Great Britain. It is for this reason that the year of enactment is not given.

Ontario

Factory, Shop and Office Building Act. Revised Statutes of Ontario 1927, Chapter 275, *Labour Legislation, etc.*, p. 351.

Municipal Act. Revised Statutes of Ontario 1927, Chapter 233. *Labour Legislation, etc.*, p. 347.

Children's Protection Act. Revised Statutes of Ontario 1927, Chapter 279. *Labour Legislation, etc.*, p. 367.

School Attendance Act. Revised Statutes of Ontario 1927, Chapter 332. *Labour Legislation, etc.*, p. 370.

Quebec

Industrial Establishments Act. Revised Statutes of the Province of Quebec 1925, Chapter 182. Vol. II, p. 2179.

Cities and Towns Act. Revised Statutes of the Province of Quebec 1925, Chapter 102. Vol. II, p. 1273.

Saskatchewan

Child Welfare Act. Statutes of Saskatchewan, 1927, Chapter 60. *Labour Legislation, etc.*, p. 502.

School Attendance Act. Revised Statutes of Saskatchewan, 1920, Chapter 111. *Labour Legislation, etc.*, p. 461.

City Act. Statutes of Saskatchewan, 1925-26, Chapter 18. *Labour Legislation, etc.*, p. 500.

Town Act. Statutes of Saskatchewan, 1927, Chapter 24. *Labour Legislation, etc.*, p. 501.

Yukon

Sale of Beer Ordinance. Ordinances of the Yukon Territory, 1925, Chapter 2, p. 9.

CHILE

Act No. 4053 providing that contracts of employment shall be regulated by the provisions laid down therein. Dated 8 September 1924. (Translation in Legislative Series, 1924, Chile 2.)

Decree No. 857 (to approve the text of the Act respecting salaried employees). Dated 11 November 1925. (Translation in Legislative Series, 1925, Chile 1.)

Act No. 4447 concerning the protection of minors. Dated 18 October 1928.

Regulations for the application of the Act concerning the protection of minors. Dated 24 December 1928. (Translation of extracts from Act and Regulations in Legislative Series, 1928, Chile 4, in preparation.)

COLOMBIA

Act No. 48 respecting child welfare. Dated 29 November 1924. (Translation in Legislative Series, 1924, Col. 1.)

Act No. 56 to lay down certain provisions respecting education. Dated 10 November 1927. (Extracts translated in Legislative Series, 1927 Col. 2.)

CZECHOSLOVAKIA

Act respecting the Eight Hour Day. Dated 19 December 1918. (Translation in Legislative Series, 1919, Cz. 1, 2 and 3.)

Act respecting child labour. Dated 17 July 1919. (Translation in Legislative Series, 1920, Cz. 2.)

DENMARK

Act respecting the employment of children and young persons. No. 145. Dated 18 April 1925. (Translation in Legislative Series, 1925, Den. 1.)

ENGLAND AND WALES

The Children's Dangerous Performances Act, 1879 (42 & 43 Vict., Ch. 34). The Statutes Revised, Vol. XIV, p. 948.

The Dangerous Performances Act, 1897 (60 & 61 Vict., Ch. 52). The Statutes Revised, Vol. XX, p. 510.

The Children Act, 1908. Public General Acts, 1913, 3 & 4 Geo. V, Ch. 7.

The Children (Employment Abroad) Act, 1913. Public General Acts, 1913, 3 & 4 Geo. V, Ch. 7.

The Education Act, 1921. Public General Acts, 1921, 11 & 12 Geo. V, Ch. 51. (Extracts in Legislative Series, 1921, G. B. 4).

The Children (Employment Abroad) Act, 1930. Public General Acts 1930, 20 Geo. V, Ch. 21.

ESTONIA

Act of 10 May 1927.

Tallin Municipal By-laws of 22 April 1925.

FINLAND

Act respecting conditions of employment in shops and commercial establishments, offices and warehouses. Dated 24 October 1919. (Translation in Legislative Series, 1920, Fin. 2.)

Act of 31 July 1929 concerning the employment of children and young persons in industry. (Translation in Legislative Series, 1929, Fin. 2.)

FRANCE

Book II of the Code of Labour and Social Welfare, as amended by Act of 30 June 1928.

Ministerial Circulars of 10 March 1913, 26 June 1914 and 26 February 1926 concerning the conditions for granting permission for the employment of children under 13 years old in theatres.

Decree of 21 June 1913 regulating the employment of children and women on the outside frontages of booths and shops.

Act of 1 October 1917 concerning the suppression of public drunkenness and the police control of public houses.

Decree of 21 March 1914 concerning dangerous occupations forbidden for women and children.

GERMANY

Act dated 30 March 1903 concerning the employment of children in industrial establishments.

Act dated 31 July 1925 to amend the Act dated 30 March 1903 concerning the employment of children in industrial undertakings. (Translation in Legislative Series, 1925, Ger. 5.)

Act dated 30 November 1903 concerning the employment of children in industrial undertakings. (Prussia.)

Decree of the Minister of Commerce, dated 3 May 1926, concerning the application of the Federal Act concerning the employment of children in industrial undertakings. (Prussia.)

GREECE

Act No. 4029 concerning the work of women and minors. Dated 24 January/6 February 1912. (Translation in Bulletin of the International Labour Office, of Basle, Vol. VII, 1912, p. 285.)

Royal Decree respecting the execution of the Act, No. 4029, concerning the work of women and minors, in factories, workshops, commercial firms and stores of any kind. Dated 14/27 August 1913. (Translation in Bulletin of the International Labour Office, of Basle, Vol. IX, 1914, p. 219.)

GUATEMALA

Decree No. 1434, promulgating the Labour Act. Dated 30 April 1926. (Translation in Legislative Series, 1926, Guat. 1.)

HUNGARY

Industrial Act. Act XVII of 1884.

Act No. XII of 1922 respecting the amendment of the Industrial Act embodied in Act No. XVII of 1884. Dated 23 February 1922. (Translation in Legislative Series, 1922, Hung. 1.)

Act No. 5 of 1928, respecting the protection of children, young persons and women employed in industry and in certain other undertakings. Dated 12 January 1928. (Translation in Legislative Series, 1928, Hung. 1.)

IRISH FREE STATE

Children's Dangerous Performances Act, 1879 (42 & 43 Vict., Ch. 34). The Statutes Revised, Vol. XIV, p. 948.

Children's Dangerous Performances Act, 1897 (60 & 61 Vict., Ch. 52). The Statutes Revised, Vol. XX, p. 510.

Employment of Children Act, 1903. Public General Acts, 3 Edw. VII, Ch. 45.

Prevention of Cruelty to Children Act, 1904. Public General Acts, 4 Edw. VII, Ch. 15.

Children Act, 1908. Public General Acts, 1908, 8 Edw. VII, Ch. 67.

Children (Employment Abroad) Act, 1913. Public General Acts, 1913, 3 & 4 Geo. V, Ch. 7.

Intoxicating Liquor (General) Act, 1924. No. 28 of 1924. Public Statutes of the Irish Free State, 1924, p. 433.

School Attendance Act, 1926. No. 17 of 1926. Public Statutes of the Irish Free State, 1926, p. 157.

(Note: The references to Statutes or Acts, except in the case of the last two, are to the Statutes or Public General Acts of the United Kingdom).

ITALY

Act dated 13 December 1873 concerning the prohibition of the employment of children in itinerant occupations.

Act No. 2277 respecting maternity and child welfare. Dated 10 December 1925. (Translation in Legislative Series, 1925, It. 7.)

Royal Decree No. 718 to approve the Regulations for the administration of Act No. 2277 of 10 December 1925 respecting maternity and child welfare. Dated 15 April 1926. (Extracts translated in Legislative Series, 1926, It. 3.)

Legislative Decree No. 1904, to amend Act No. 2277 of 10 December 1925, respecting maternity and child welfare. Dated 21 October 1926. (Extracts translated in Legislative Series, 1926, It. 3 B.)

Royal Decree No. 1848, to approve the consolidated texts of the Acts respecting public safety. Dated 6 November, 1926. (Extracts translated in Legislative Series, 1926, It. 6.)

Act No. 239 of 5 January 1928 to convert into an Act the Decree-law No. 1904 of 21 October 1926 amending Act No. 2277 of 10 December 1925 respecting maternity and child welfare.

Royal Decree No. 62 to approve the Regulations under the consolidated text of the Police Acts, dated 6 November 1926, No. 1848. Dated 21 January 1929.

LATVIA

Act respecting hours of work. Dated 24 March 1922. (Translation in Legislative Series, 1922, Lat. 1.)

Amendments and additions to the Act respecting hours of work. Dated 26 April 1924. (Translation in Legislative Series, 1924, Lat. 1.)

LUXEMBURG

Act of 18 June 1870 concerning itinerant callings.

NETHERLANDS

Decree of 17 September 1930 promulgating the amendments made in the Labour Act, 1919, by Act of 14 June 1930. (Legislative Series in preparation.)

Act to amend the Labour Act, 1919. Dated 20 May 1922. (Translation in Legislative Series, 1922, Neth. 1 (C).)

Decree issuing public administrative regulations under section 10, subsection (1), of the Labour Act, 1919. Dated 10 August 1920.

NORWAY

Act of 22 May 1875 relating to authorisation for theatrical and other public entertainments.

General Penal Act of 22 May 1902.

Act relating to urban and rural schools, dated 26 June 1889, as amended by an Act of 15 August 1908.

PANAMA

Administrative Code. Dated 22 August 1916.

PERU

Act to regulate the employment of women and children. Dated 25 November 1918. (Translation in Legislative Series, 1919, Per. 1.)

Regulations made under the above Act. Dated 25 June 1921.

POLAND

Constitution of the Polish Republic. Dated 17 March 1921. (Translation (extracts) in Legislative Series, 1921, Pol. 3.)

Act relating to the employment of women and young persons. Dated 2 July 1924. (Translation in Legislation Series, 1924, Pol. 2.)

Order of the Minister of Labour and Social Welfare in agreement with the Ministers of Industry and Commerce, the Interior, Public Works, Railways and Finance respecting the list of occupations prohibited for women and young persons. Dated 29 July 1925. (Translation in Legislative Series, 1925, Pol. 2.)

PORTUGAL

Decree No. 14498. To regulate the employment of young persons and women and to institute a system for safeguarding the health of young persons and women, for which the Industrial Hygiene Inspectorate shall be responsible. Dated 29 October 1927. (Translation in Legislative Series, 1927, Port. 6 A.)

Decree No. 14535 to approve the regulations respecting the employment of women and young persons and the relevant schedules. Dated 31 October 1927. (Translation in Legislative Series, 1927, Port. 6 B.)

RUMANIA

Act concerning the protection of the work of young persons and women and hours of labour. Dated 9 April 1928. (Translation in Legislative Series, 1928, Rum. 1.)

Regulations for the application of the Act concerning the protection of the work of women and children and hours of labour. (Translation in Legislative Series 1929, Rum. 1, in preparation.)

SOUTH AFRICA (UNION OF)

The Children's Protection Act No. 25 of 1913. Statutes of the Union of South Africa 1913, p. 372.

The Children's Protection Act Amendment Act, 1921. Act No. 26 of 1921. Statutes of the Union of South Africa 1921, p. 130.

SPAIN

Act of 13 March 1900 determining the conditions of work of women and children.

Regulations of 13 November 1900 for the application of the Act of 13 March 1900 concerning the work of women and children.

Penal Code, dated 8 September 1928.

SWEDEN

Act in regard to the protection of labour. Dated 29 June 1912. (Translation in Bulletin of the International Labour Office of Basle, Vol. VIII, 1913, p. 84.)

Act respecting the prohibition of the sale of goods by children in certain cases. Dated 9 April 1926. (Translation in Legislative Series, 1926, Swe. 2.)

SWITZERLAND

No texts were used as the Office was furnished with a special report by the "Office fédéral de l'industrie, des arts et métiers du travail".

VENEZUELA

Labour Act. Dated 23 July 1928. (Translation in Legislative Series, 1928, Ven. 2.)

YUGOSLAVIA

Workers' Protection Act. Dated 28 February 1922. (Translation in Legislative Series, 1922, SCS. 1.)
